MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on May 2, 1995, 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 M. Luebbers, City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Beatrice Sanchez, Deputy City Clerk
Michael Reynolds, City Treasurer
Paula Rae Espinoza, CDBG/Housing Coordinator
Jeffrey L. Shaw, Community Development Director
Steven M. Chapman, Finance Director
Mel Enslow, Fire Chief
Gary G. Phelps, Municipal Utilities Director
James R. Bueermann, Police Captain
Ronald C. Mutter, Public Works Director

Ted Thomaidis, Redlands Daily Facts
Steven Church, The Sun

ABSENT

None

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

HEROES' WELCOME

Fire Engineer Walt Harrison and Misty - During the past ten days, Redlands Fire Department Engineer Walt Harrison and his search dog, Misty, have been on loan to Oklahoma City to assist in the search for victims of the April 19, 1995, bombing of the Alfred Murrah Federal Building in which 167 people were killed and two are still missing (as of May 5, 1995). On behalf of the City Council, the staff, and the citizens of Redlands, City Manager Luebbers read a statement expressing heartfelt appreciation for this and all other rescue efforts in which Walt and Misty have been involved such as the Northridge earthquake. The City Council meeting recessed at 3:15 P.M. to attend a reception with refreshments provided by members of the Redlands Fire Department to honor Walt Harrison and Misty. The meeting reconvened at 3:25 P.M. Mayor Larson reported that Deputy City Clerk Beatrice Sanchez's husband Ron, who is a

Rescue Specialist, is currently in Oklahoma City with the Orange County Task Force.

CONSENT CALENDAR

Minutes - Minutes of the regular meeting of April 18, 1995, were approved as submitted.

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

Employee Positions - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, Council unanimously authorized the following employee positions be filled: Business License Inspector, Community Service Officer, Industrial Waste Inspector, Laboratory Technician II, and Principal Planner.

Contract Award - Street Light Repair Program - Bids were opened and publicly declared on April 20, 1995, by the City Clerk for the construction of the 1994/1995 Street Light Repair program; a bid opening report is on file in the Office of the City Clerk. This project will repair street light fixtures, poles, and conduit wiring systems in various locations throughout the City, all on 10-foot street light systems. It was the recommendation of the Department of Public works that the responsible bidder submitting the bid for said project which will result in the lowest cost to the City was MBE Electric, Inc., Riverside, in the amount of $50,750.00, and it would be in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Gilbreath, seconded by Councilmember Foster this recommendation was unanimously approved.

Contract Award - Citrus Avenue Downtown Project - Bids were opened and publicly declared on April 14, 1995, by the City Clerk for the construction of the Citrus Avenue Downtown project; a bid opening report is on file in the Office of the City Clerk. This project will reconstruct Citrus Avenue from Orange Street to Redlands Boulevard. It was the recommendation of the Department of Public Works that the responsible bidder submitting the bid for said project which will result in the lowest cost to the City was Riverside Construction Company, Riverside, in the amount of $289,565.00, and it would be in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Gilbreath, seconded by Councilmember Foster, this recommendation was unanimously approved.

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, the report of the Planning Commission meeting held on April 25, 1995, was unanimously acknowledged as received.

COMMUNICATIONS

San Bernardino International Airport - No report.

Appointment - Traffic and Parking Commission - Mayor Larson moved to nominate Charles (Chuck) J. Kondrack to fill the unexpired term on the Traffic and Parking Commission of Stanley Welch to December 20, 1998. Motion seconded by Councilmember Gilbreath and carried unanimously.

Appointment - Airport Advisory Board - Mayor Larson moved to nominate James (Jim) F. Thorp to fill the unexpired term on the Airport Advisory Board of John A. Krueger to May 1, 1998. Motion seconded by Councilmember Gilbreath and carried unanimously.

Utility Users' Tax Review - Finance Director Chapman presented the third quarter Utility Users' Tax review for fiscal year 1994-95. Police Captain Bueermann, Fire Chief Enslow, and Public Works Director Mutter reviewed this quarter's accomplishments from the expansion of City services funded by the Utility Users' Tax.

Tree City USA - Public Works Director Mutter explained that several years ago the City of Redlands applied for and received the designation as Tree City USA from the National Arbor Day Foundation. The designation is granted to cities that effectively manage their public tree resources and encourage the implementation of community tree management based on Tree City USA standards. At its April 13, 1995, meeting the Parks Commission recommended that the City Council direct staff to file an application for recertification. Councilmember Cunningham moved to approve this recommendation; motion seconded by Councilmember Gilbreath and carried unanimously.

Tow Company Franchise Regulations - City Attorney McHugh reported that at a recent past meeting, the City Council discussed a report prepared by Chief Nelson of the Police Department relating to the rotation of tow company franchisees within the City. That report was prompted by a Councilmember's concern that several of the tow companies were not in compliance with the terms of their franchise agreement. During that meeting, the City Council requested the City Attorney to review the applicable sections of the Redlands Municipal Code an prepare a report which sets forth the requirements a tow company must meet to maintain a valid franchise within the City. Four tow companies are presently in the Police Department's rotational tow. However, of particular concern at the Council meeting was the fact that two companies (A&B and Servco Fleet) were owned by the same person and were conducting their operations in a manner that made them appear to be one business. A question was also raised at that meeting regarding the tow companies' compliance with the City's business license tax laws. Mr. McHugh presented the results of the staff investigation regarding business license taxes and Municipal Code franchise requirements. He also noted that presently there are no provisions in the Municipal Code governing the number of companies which may serve on the Police Department's rotational tow, nor are there any guidelines as to how the rotational tow shall be conducted. If in fact the City Council believes that one person owning more than one company on the rotational tow possesses a competitive business advantage over the other tow companies, the City Council may wish to adopt an ordinance or resolution establishing new rotational tow requirements. Representing Leo Wenzel, John Lightburn argued that A&B and Servco was in fact one business and should only have one franchise. Paul Beagle, President of A&B, Inc. and Servco Fleet Towing did not feel he should be penalized for having the fortitude to buy another company and requesting the franchise transfer. Responding to Council's questions, Police Captain Bueermann stated the current situation is satisfactory to the Police Department. Councilmember Foster moved to direct the City Attorney to prepared the necessary legislation to update the Redlands Municipal Code requirements governing insurance as well as adding a provision, which should also be included within the franchise resolution, which obligates the tow company to defend, indemnify and hold the City harmless from any liability caused by the negligent or intentional acts or omissions of the tow company in conducting its business, and to allow each owner only one rotation within the City towing business. Motion seconded by Councilmember Gil and carried with Councilmembers Larson and Cunningham voting NO.

<u>Alcoholic Beverage Control License Requests</u> - City Attorney McHugh reported that on March 21, 1995, the City Council was provided a memorandum which explained a change in the Business and Professions Code regarding the location of businesses requesting approval of alcoholic beverage licenses and a redefinition of the term "undue concentration" for the purpose of determining whether or not the public convenience and necessity warrants the issuance of a sales license. Pursuant to the new law, the City Council was given authority to make the determination of whether or not a license should be issued. State law also acknowledged that the City Council could delegate its authority to make that determination to an advisory commission or a department head. Recently, the Department of Alcoholic Beverage Control requested the City Council to determine whether the Council wished to delegate such authority. The City Council considered this issue at its March 21st meeting and agreed to take no action to delegate that authority. Over the past few weeks, a number of applications have been sent to the City Clerk's Office for action by the City.

One of those applicant, Omar Heyem, believed he was unfairly impacted by the change in the new law because he was simply relocating his business 200 feet from its present location, yet it would take two weeks before the City Council could consider the issue. In an attempt to accommodate the processing of that license, City staff issued a letter to the Department of Alcoholic Beverage Control informing it that City staff would recommend the City Council approve the license request at the May 2, 1995, meeting. Four other applications are pending. Because at least one Councilmember was concerned about the time delay in approving applicants, staff is now seeking Council direction on whether the approval process should be changed, and which City department should prepare the appropriate staff reports and review the license requests. Councilmember Cunningham felt the availability of this public forum was necessary.

ABC Licenses - On motion of Councilmember Foster, seconded by Councilmember Gil, Council approved the following Alcoholic Beverage Control license request with Councilmember Cunningham abstaining from the vote:

1. An off-sale general license for Heyem A. and Mohammed T. Omar for property located at 1541 West Redlands Boulevard.

On motion of Councilmember Foster, seconded by Councilmember Gil, Council approved the following Alcoholic Beverage Control license application requests with Councilmember Cunningham abstaining from the vote:

1. An off-sale general license for Ibrahim, Senette, and Tamer Diab for property located at 619-621 West State Street,
2. An off-sale general license for Boulus Dakramanji and Fadel Mbarka, Paul's Beverage Shop, 1150 Brookside Avenue, Suites E & F,
3. An on-sale beer and wine license for Martin M. and Sheryl A. Felix for property located at 330 North Sixth Street, Suite 112, and
4. An on-sale beer and wine license for Mansour Houshmand, Cafe Casis, 1916 Orange Street Lane, Suite 400.

Councilmember Foster moved to delegate the approval authority for alcoholic beverage license requests to the City Manager with the right of appeal to the City Council and directed the City Manager to assign the investigative work of reviewing applications and preparing staff reports to the appropriate City Departments. Motion seconded by Councilmember Gil and carried with Councilmember Cunningham voting NO.

CLOSED SESSION

The City Council meeting recessed at 4:18 P.M. to a Redevelopment Agency meeting and reconvened at 4:30 P.M. to a closed session to discuss the following matters:

1. Conference with real property negotiator
   Property: 126 Garden Hill
   Negotiating parties: Gary M. Luebbers and Tony Grano
   Under negotiation: Terms and price
2. Conference with legal counsel: Anticipated litigation - Government Code Section 54956.9(b) - One potential case
3. Public Employee Discipline/Dismissal/Release
4. Conference with legal counsel: Existing litigation - Government Code Section 54956.9 - Redlands Association et al v. City of Redlands

The City Council meeting reconvened at 7:00 P.M.

PRESENTATIONS

Proclamation - Blue Ribbon Week - Mayor Larson presented Mr. Charles I. Ehrlich, member of the Support Our Law Enforcement Committee, and Police Captain Bueermann a proclamation declaring the week of May 15, 1995, as Blue Ribbon Week in recognition and support of all peace officers and law enforcement agencies.

Proclamation - National Day of Prayer - Mayor Larson presented Mark Heflin from the University of Redlands a proclamation declaring May 4, 1995, as a National Day of Prayer and encouraged all citizens of Redlands to gather, each in his own manner, to recognize our blessings, acknowledge our wrongs, to remember the needy, to seek guidance for our challenging future, and to give thanks for the abundance we have enjoyed throughout our history. A Mayor's Prayer Breakfast will be held on May 4, 1995, in the Orton Center at the University of Redlands, and a prayer gathering will take place at 12:15 P.M. on the north side of the Old City Hall building later that same day.

CLOSED SESSION REPORT

There was no report from the closed session.

PUBLIC HEARINGS

Resolution No. 5177 - 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 A. T. Campbell House located at 325 Cajon Street as Historic Resource No. 91. Community Development Director Shaw reported this house, which is located in an Administrative Professional District, was nominated by the potential buyer (Mimi Barre) with the concurrence of the current owners. Ms. Barre intends to operate a skin care treatment facility out of the structure and has received conditional approval to do so from the Planning Commission. The structure, which has been extensively remodeled, was built in 1922. The Historic and Scenic Preservation Commission was not unanimous in their decision to recommend designation because of the extensive remodeling work, but was encouraged by the indication from Ms. Barre that she will be doing a facade improvement to the Cajon Street elevation to create a Victorian Cottage exterior. Mayor Larson declared the meeting open as a public hearing for any questions or comments concerning this matter. Ms. Barr provided a rendering of the proposed facade improvement and urged the City Council to approve her application for the historic designation. There being no further comments, the public hearing was declared closed. Councilmember Gilbreath moved to adopt Resolution No. 5177, a resolution of the City Council approving the designation of Historic Resource No. 91. Motion seconded by Councilmember Cunningham and carried unanimously.

General Plan Amendment No. 54 - Public hearing was continued to this time and place to continue the review of the General Plan Update document. Community Development Director Shaw reported the City Council has held 15 public hearings on the General Plan beginning July 5, 1994. Staff has provided the City Council with an overview of the General Plan describing the development of the Plan and public input, purpose of the plan, an overview of themes, the Housing Element, environmental impact report and master environmental assessment, and the Planning Commission recommendation. The City Council has given specific direction on several issues. On April 4, 1995, the City Council completed its review of the General Plan for the purposes of submitting the Plan to its consultant for revision with the exception of Appendix "A" which is the Southeast Area General Plan Amendment. Staff recommended that the policies of the Southeast Area General Plan Amendment be incorporated into the Land Use Element of the main General Plan document and delete Appendix "A". The proposed revisions were presented at this meeting. Minor word changes were also recommended for the policies. The area would be identified on the General Plan land use map and two exhibits showing the planning sectors and the Perimeter Fuel Modification/Access Area (PERFUMAA) would be included in the General Plan Document. Councilmember Foster expressed his concerns in detail about the South East Area General Plan Amendment. Mr. Shaw concluded his presentation reporting that staff is continuing to work with Smith, Peroni, and Fox and the various City departments to update text changes to the document. Once the text changes are completed, the document will be returned to the City Council for further review. The revised edition, its associated environmental impact report, and findings and the statement of overriding considerations regarding environmental impacts and mitigation monitoring plans will then be readvertised for public hearing.

Mayor Larson declared the meeting open as a public hearing for any questions or comments. Michael Atencio stated that Southeast Area General Plan amendment was applied to a specific area which is now being applied to the entire canyon area. He felt it was unfair to do this without citizens' input and participation. Mr. Shaw explained that these policies would only apply to the geographic area so designated, and that staff felt it was important to incorporate this amendment into the General Plan. Pat Meyer expressed concern that this recommendation was replacing a significant, expensive, and extensive document with just a few pages, and that missing language would pose problems in the future. Again, Mr. Shaw responded that staff included all of the policies of the amendment and incorporated them into the General Plan. Tex Moore also expressed concern that the City would lose an invaluable tool and felt the entire plan should be retained. Bob Roberts stated he saw a lot of new language that has not been reviewed by the Planning Commission. He also asked who was going to pay for all of these improvements and felt the property owners should be noticed of this proposed change. Following discussion, Councilmember Foster moved to instruct staff to bring the entire Southeast Area General Plan Amendment forward for future review by the Council as a consolidated document, not an appendix. Motion seconded by Councilmember Larson and carried unanimously. Councilmember Larson moved to continue this public hearing to June 6, 1995. Motion seconded by Councilmember Foster and carried unanimously.

UNFINISHED BUSINESS

Variance Fee Refund - Honda/Yamaha of Redlands - Community Development Director Shaw reported staff met with the applicant and his representative, Gary Stegman, on several occasions to review his proposed expansion of the Honda/Yamaha dealership and discussed the problems of parking for the project. The expansion did not provide the parking needed to comply with Code. Staff suggested a number of alternatives to include that parking be provided on site, the payment of "in-lieu" fees, or the procurement of a joint use parking agreement. On October 11, 1994, a variance request was submitted to the Planning Department with a proposal to utilize a joint use parking agreement with Jim Glaze. The application, as submitted, did require a variance for parking and the necessary notification, staff evaluation, and staff report. Hearings were held in conjunction with the application and one hundred percent of the fees were expended. Staff had recommended denial of the variance request. The Planning Commission was supportive of the business expansion; however, they had difficulties making the required findings for the variance. During the public hearing before the Planning Commission on November 4, 1995, Mr. Shaw suggested another alternative to comply with the parking requirements that would not require a variance. The public hearing was continued and the applicant was able to secure a long-term parking lease with Jim Glaze in accordance with Section 18.164.250 of the Redlands Municipal Code. On November 23, 1994, and December 16, 1994, Tony Raley, President and General Manager of Honda/Yamaha of Redlands, requested a refund of the variance fees. The Community Development Director and City Manager have indicated a willingness to support a partial refund of fees. On April 18, 1995, the applicant, Tony Raley, was not present; therefore, this matter was continued to this date. Following Mr. Shaw's review of the background of this matter, the applicant, Tony Raley addressed Council and responded to their questions. Councilmember Foster moved to refund 100 percent of the variance fees paid, Motion seconded by Councilmember Gilbreath and carried unanimously.

<u>Crescent Avenue Closure</u> - Margot Williams, 502 West Crescent Avenue, submitted a request to the City Council on April 18, 1995, to close Crescent Avenue between Knoll Road and Elizabeth Street. Ms. Williams is complaining about speeding and high volume traffic in the area. She has indicated to staff that she purchased her home this past February and admitted that she was not aware of the traffic prior to the purchase. She is upset about the traffic and noise and feels that this type of situation should not be allowed in a city the size of Redlands. Staff presented data regarding this location at the Council meeting of April 18, 1995, and heard testimony from Mr. Jim Smith, 1237 Ramona Drive. Staff recommended that the request to close the street be denied. Councilmember Foster suggested that stop signs be installed at Elizabeth Street, Knoll Road, and Prospect Drive. Staff responded that indiscriminate placement of stop signs would add to the congestion of traffic in the area. The City Council continued this item to this meeting and asked staff to further study the location.

Public Works Director Mutter explained the intersection of Crescent Avenue and Ramona Drive forms a 72 degree curve at this location. The speed limit on Crescent Avenue is 35 miles per hour and on Ramona Drive it is 25 miles per hour. The curve is clearly signed in both directions for 15 miles per hour. In addition, there is a flashing yellow light on Crescent Avenue approaching the curve which operates during hours of darkness. There are also chevron signs at the intersection. Public Works Director Mutter reviewed his presentation from the last Council meeting noting that the entire length of Crescent Avenue and Ramona Drive from Crescent Avenue to Highland Avenue are classified as collector streets in the circulation element of the General Plan, and a General Plan Amendment would be required in order to close them to through traffic. Traffic counts have been taken on Ramona Drive between Crescent Avenue and Highland Avenue, on Ramona Drive north of Highland Avenue, and on Center Street north of Crescent Avenue. The average daily traffic at those locations was: Ramona between Crescent and Highland: 1,997; Ramona north of Highland: 190; and Center Street at Walnut: 2,869. Comparison of Ramona between Crescent and Highland with traffic volumes on other collector streets in the City shows that it is typical of that street category. Other collector street volumes are: Palm Avenue: 2,470; Brockton Avenue: 2,530; Oak Street: 2,480; Franklin Street: 1,130; Mariposa Road: 1,890; and Pioneer Avenue: 3,221. Traffic accidents at the subject location were reviewed. Five reported accidents have occurred since January, 1988; that latter two accidents involved driving under the influence and an unlicensed teen joy riding. Several ideas have been presented suggesting the installation of stop signs or closure of the street and Mr. Mutter reviewed these ideas and presented staff's opinions. Mr. Mutter concluded his presentation stating it is the opinion of staff that Crescent Avenue and Ramona Drive does not have a significant traffic problem and is not dangerous to a prudent motorist in its current configuration. Traffic volumes currently existing at this location are reasonable given the collector status and location with respect to through street and traffic flows in the area. Staff felt that there is more of a perception of a problem by local residents, especially those new to the area, than the existence of a real traffic problem under traffic engineering guidelines and procedures. Staff recommended that no change be made to the current traffic controls or the existing street system at Crescent Avenue and Ramona Drive. Fire Chief Mel Enslow stated the Fire Department's opposition to the closure of Crescent Avenue and Ramona Drive. In a memorandum dated April 24, 1995, Police Chief Nelson indicated his department did not foresee any significant problems for Police response in making Ramona Drive a through street to Knoll Road and ending Crescent Avenue at Elizabeth Street. The making of a cul-de-sac of Ramona Drive would not create significant police problems. The installation of stop signs between Center Street and Highland Avenue along Crescent/Ramona could create a significant traffic hazard.

Ms. Williams read her letter dated May 1, 1995, she had sent via FAX which favored the closure options or one-way streets, and delivered a letter from Mr. and Mrs. Clark H. Alsop who also favored the street closure. Speaking in support of Ms. Williams' request were neighbors Rick Brannon and Jim Smith.

Following discussion, Councilmember Foster moved to authorize staff to prepare a resolution for the City Council's review on May 16, 1995, to make Ramona Drive one-way, southbound, to Knoll Road and Elizabeth Street. Motion seconded by Councilmember Gil and carried unanimously.

Ordinance No. 2266 - Shopping Carts - City Manager Luebbers reported that staff had met with members of the California Grocers Association who were willing to work with the City in an effort to address the retrieval of abandoned shopping carts. Addressing the City Council were: Beth Beeman, California Grocers Association; Gail Gerrard Rice, Gerrard's Markets; Shawn Thompson, Lucky's Stores; David Baker, Food 4 Less; and Jeaneal Kinder, Albertson's. Ordinance No. 2266, an ordinance of the City Council of the City of Redlands adding Chapter 8.72 to the Redlands Municipal Code relating to the abandonment of shopping cards, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gil, further reading of the ordinance text was unanimously waived. Ordinance No. 2266 was introduced and laid over under the rules with second reading scheduled for May 16, 1995, on motion of Councilmember Gilbreath, seconded by Councilmember Gil, with Councilmember Foster voting NO. It was noted a resolution setting the retrieval fee would be presented at the next City Council meeting.

The City Council meeting briefly recessed at 9:05 P.M. and reconvened at 9:15 P.M.

NEW BUSINESS

Resolutions Nos. 5158-5159 - Street Lighting Assessment District - Public Works Director Mutter informed Councilmembers that the assessment fees for the Street Lighting Assessment District have been lowered from 19.5 to 35 percent compared to last year due to a better accounting system. Staff also combined the annexation process with the preparation of the annual report which lowers the engineering and administration cost. Resolution No. 5158, a resolution of the City Council of the City of Redlands, County of San Bernardino of preliminary approval of the Engineer's Report for fiscal year 1995-96 for Street Lighting District No. 1, was adopted on motion of Councilmember Cunningham, seconded by Councilmember Gilbreath, with Councilmember Foster voting NO. Resolution No. 5159, a resolution of the City Council of the City of Redlands, County of San Bernardino, California, declaring its intention to annex properties (Annexation No. 8) to Street Lighting District No. 1 and to levy and collect assessments for fiscal year 1995-96 in Street Lighting District No. 1, an assessment district declaring the work to be of more local than ordinary public benefit; specifying the exterior boundaries of the area within Street Lighting District No. 1 to be assessed cost and expense thereof; designating said District as Street Lighting District No. 1; and determining that these proceedings shall be taken pursuant to the Landscaping and Lighting Act of 1972; and offering a time and place for hearing objections hereto (a public meeting will be held on June 6, 1995, and a public hearing on June 20, 1995, in the City Council Chambers at 7:00 P.M.), was adopted on motion of Councilmember Cunningham, seconded by Councilmember Gilbreath, with Councilmember Foster voting NO.

Resolutions Nos, 5161-5162 - Landscape Maintenance District - Public Works Director Mutter informed Councilmembers that the assessment fees for the Landscape Maintenance Assessment District have been lowered from 7 to 26 percent compared to last year due to a better accounting system. Staff also combined the annexation process with the preparation of the annual report which lowers the engineering and administration cost. Resolution No. 5158, a resolution of the City Council of the City of Redlands, County of San Bernardino, of preliminary approval of the Engineer's report for fiscal year 1995-96 for Landscape Maintenance District No. 1, was adopted on motion of Councilmember Cunningham, seconded by Councilmember Gilbreath, with Councilmember Foster voting NO. Resolution No. 5162, a resolution of the City Council of the City of Redlands, County of San Bernardino, California, declaring its intention to annex properties (Annexation No. 11) to Landscape Maintenance District No. 1 and to levy and collect assessments for fiscal year 1995-96 in Landscape Maintenance District No. 1, an assessment district declaring the work to be of more local than ordinary public benefit; specifying the exterior boundaries of the area within Landscape Maintenance District No. 1 to be assessed cost and expense thereof; designating said District as Landscape Maintenance District No. 1; and determining that these proceedings shall be taken pursuant to the Landscaping and Lighting Act of 1972; and offering a time and place for hearing objections hereto (a public meeting will be held on June 6, 1995, and a public hearing on June 20, 1995, in the City Council Chambers at 7:00 P.M.), was adopted on motion of Councilmember Cunningham, seconded by Councilmember Gilbreath, with Councilmember Foster voting NO.

Fee Waiver - Sylvan Park - Councilmember Cunningham moved to approve the request for waiver of fees for the use of Sylvan Park by the Redlands Unified School District for the "Friendly Helpers" program scheduled for June 8, 1995. Motion seconded by Councilmember Gilbreath and carried unanimously.

Agreement - Upper Santa Ana Water Resources - Municipal Utilities Director Phelps explained that in fiscal year 1989-90 the City of Redlands entered into a mutual aid agreement with other members of the Upper Santa Ana Water Resources Association for the purpose of coordinating cooperation between agencies with similar interests and goals and to provide a forum to discuss problems and projects that effect water management in the upper Santa Ana River area. Upon application, this agreement became an administrative burden; the proposed agreement would simplify what has been agreed to in the past and would provide a standard procedure for providing or receiving emergency assistance. Councilmember Cunningham moved to approve a revised mutual aid agreement between the City of Redlands Municipal Utilities Department and members of the Upper Santa Ana Water Resources Association, and authorized the Mayor and City Clerk to sign on behalf of the City. Motion seconded by Councilmember Foster and carried unanimously.

Budget Adjustments - On motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, Council unanimously approved the following budget adjustments:

1. Increase the General Fund appropriations for the Police Department by $53,399.00 to cover the annual lease-purchase payment of the eight police vehicles approved by the City Council at a special meeting held on August 12, 1993 which are currently being paid by the Equipment Maintenance Fund without a corresponding reimbursement from the General Fund.

2. Establish the 1994-95 budget for the Air Quality Improvement Fund (Fund No. 26) with financial sources and requirements as follows:

Finance Sources:	
Fund Balance 6/30/94 (audited)	$26,345.00
Estimated Revenues	68,000.00
Total Finance Sources	$94,345.00

Financial Requirements/Operating Transfer to:	
General Fund	$25,000.00
Equipment Maintenance Fund	44,000.00
Sewer Fund	5,000.00
Solid Waste Fund	5,000.00
Water Fund	8,000.00
Utility Billing Fund	500.00
Total Finance Requirements	$87,500.00
Fund Balance, 6/30/95 (projected)	$ 6,845.00

Police Substation - Police Captain Bueermann reported that in May, 1994, the Police Department began moving into the era of Community-Based Policing, a philosophy which is designed to bring the department closer to the community and make it more effective through the resolution of specific problems identified by community members as important to them. A fundamental part of this philosophy is the creation of neighborhood-based substations. On July 1, 1994, the Police Department opened its first Community Policing Substation on Orange Street. This was followed in January, 1995, by the opening of the Department's second substation on Citrus Avenue. Both of these facilities have been provided rent-free. The officers that work out of them provide community policing services for approximately two-thirds of the City. The Department was recently awarded a federal grant which will provide another Community Policing Officer who, under the terms of the grant, must be employed in a Community Based Policing effort. Mr. Bill Buster, owner of the Plaza Las Palmas shopping center located at the corner of Brookside Avenue and San Mateo Street, has agreed to donate a storefront space in the shopping center, rent free for one year, to facilitate the opening of the Department's third substation. This will provide community policing coverage for the final third of the City (generally the southwest and southern portions of the City). This facility will be staffed by the new grant officer, an existing Community Service Officer, Citizens Volunteers, and college interns. The only cost to the Department will be utilities and phones. Councilmember Gil moved to authorize the Redlands Police Department to open a Community Policing Substation in the Plaza Las Palmas shopping center located at the corner of Brookside Avenue and San Mateo Street. Motion seconded by Councilmember Gilbreath and carried with Councilmember Foster voting NO as he was concerned about future funding.

Manure Management Practices - City Attorney McHugh reminded Councilmembers that a number of months ago a former Member of the City Council, Dee Ann Milson, requested the City to work with the Department of Environmental Health Services to establish a stronger nuisance abatement law to attempt to reduce an excessive fly problem in the northern part of the City.

Approximately three weeks ago, the County Department of Environmental Health Services sent to the City a draft "frequent clean-out ordinance" whose purpose is to give the City authority to order a chicken ranch to remove the primary source of fly breeding, provided the chicken ranch is irresponsible in its manure management practices. The determination of irresponsibility in the mismanagement of chicken manure may only be determined by a qualified/certified person which the San Bernardino County Vector Control program can provide. Dee Ann Milson informed Councilmembers that this legislation has been successful in Riverside County and urged them to consider it. Also asking for help with the fly problem were Kathy Guzman and Betty Malmquist. Councilmember Gil wanted to hear from the ranch owner who has been in that location for years. Councilmember Cunningham moved to direct City staff to prepare the proposed ordinance and submit it for first reading at the May 16, 1995, City Council meeting, and to ensure that Mr. Arnott is notified. Motion seconded by Councilmember Gilbreath and carried with Councilmember Gil voting NO.

Towing Franchise - In light of the action taken during the afternoon session regarding towing franchises, Mr. Paul Beagle requested a continuance to May 16, 1995, of his request to renew his existing franchise to operate tow trucks and a storage facility within the City (Proposed Resolution No. 5181), and requested an extension of the existing franchise until the other matter is resolved. Councilmember foster moved to continue this request to May 16, 1995. Motion seconded by Councilmember Gil and carried unanimously. Councilmember Cunningham moved to adopt Resolution No. 5183, a resolution of the City Council of the City of Redlands extending the term from May 7, 1995, through and including May 16, 1995, of the franchise of A & B Towing, Inc. DBA Servco Fleet Towing to operate authorized tow trucks over, along and upon the streets of the City of Redlands and to operate an authorized storage garage for impounded or stored vehicles in the City of Redlands. Motion seconded by Councilmember Gilbreath and carried with Councilmember Foster voting NO as he did not support two businesses operating under one corporation or umbrella.

Consultant Services Agreement - Wabash Avenue Design - Public Works Director Mutter said that during the presentation of the Fiscal Year 1994-95 Public Works Capital Improvement budget, the City Council included a project to design and construct Wabash Avenue between Interstate 10 and Seventh Avenue. Staff indicated that the total project would require at least two years to complete - the first year in acquisition of right-of-way and preparation of design and the second year in construction. The right-of-way process is currently in progress. The first step of the design process is to select the most qualified consultant to provide the design. Staff sent a "Request for Proposal" to all interested consulting engineers who wished to be considered for this project.

Nine proposals were received and evaluated by the evaluation committee. Four of these consultants were invited to present their ideas and scope of services on April 12,1995. Based on the interviews, Hick and Hartwick, Inc. of Redlands demonstrated the best overall qualifications in the design of new roadway sections through hillside areas. Staff considered the total scope of the design project. Wabash Avenue is a narrow rural roadway between Fifth Avenue and its terminus at a point south of Seventh Avenue. Designing and constructing only that portion of the roadway between I-10 and Seventh Avenue would result in congestion and safety concerns for the portion of the roadway between Fifth Avenue and Seventh Avenue. It is expected that traffic will significantly increase on Wabash Avenue once a connection is completed to the freeway; therefore, staff asked Hicks and Hartwick to evaluate and furnish an additional "not to exceed" cost to complete the design of this street between Seventh Avenue and Fifth Avenue. Staff recommended that the design between Interstate 10 and Fifth Avenue be completed at this time even if the entire roadway cannot be constructed at one time. The completion of the design at this time will save time and cost. Councilmember Cunningham moved to approve the consultant services agreement between the City of Redlands and Hicks and Hartwick, Inc. for the design of Wabash Avenue between Interstate 10 and Fifth Avenue. Motion seconded by Councilmember Gilbreath and carried unanimously.

PUBLIC COMMENTS

Orange Street Bridge - City Manager Luebbers announced the Orange Street bridge construction has been completed and Orange Street has been reopened. He commended Public Works Director Mutter and his staff for a job well done and expressed appreciation to the City Council for "cutting the red tape."

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 9:49 P.M. to an adjourned regular meeting to be held on May 9, 1995, at 9:00 A.M. in the Civic Center, 35 Cajon Street, Redlands, California.

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City Clerk