

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on March 7, 1972 at 7:00 P.M.

Planning Commission Items 3:00 P.M. Regular Agenda 7:00 P.M.

PRESENT

Jack B. Cummings, Mayor
Charles G. DeMirjyn, Vice Mayor
Chresten M. Knudsen, Councilman
Ellsworth E. Miller, Councilman
Sam S. Sewall, Councilman

John H. Wagner, Assistant to the City Manager
Edward F. Taylor, City Attorney
Peggy A. Moseley, City Clerk
Erwin S. Hein, Redlands Daily Facts
Chuck Palmer, San Bernardino Sun

ABSENT

None

The meeting was opened with the pledge of allegiance, followed by the invocation by Reverend Gene Beezer of the Christian Missionary Alliance Church.

The minutes of the regular meeting of February 15 and the special meeting of February 29, 1972 were approved as submitted.

BIDS

The following bids for furnishing and installing an inflated roof at the Country Club Reservoir were opened and publicly declared in the office of the City Clerk at 10:00 A.M. this date:

Bid Award	Globe Linings, Inc. Long Beach, California	\$11,161.00
Reservoir Roof	E. M. Penn Construction Company Baldwin Park, California	\$15,500.00

At this time it is the recommendation of the Department of Public Works that the low, qualified bid of Globe Linings, Inc., be accepted. On motion of Councilman Miller, seconded by Councilman DeMirjyn, unanimous approval was given to the award for installation of the reservoir roof to Globe Linings, Inc., of Long Beach, California a bid in the amount of \$11,161.00.

ORAL PETITIONS FROM THE FLOOR

Mobile
Home
Park
Require-
ments

Mr. Joe Bondamin of 1265 Kendall Drive, San Bernardino, appeared in response to a letter from the Planning Department concerning the Mobile Home Park at 626 Dearborn Street stating that no occupancy permits would be issued until all Planning Commission requirements were completed. Mr. Bondamin outlined the improvements that are being made according to requirements and stated that four mobile homes have been installed not in conformity to the city requirements. He requested that waiver be made of the requirements in these cases.

The Planning Director and Director of Building and Safety explained that these mobile homes were to have been in storage until the occupancy permit was issued. This matter was discussed at length. The Council explained to Mr. Bondamin that other mobile home developers were able to develop according to the requirements of the ordinance and that these problems possibly represented mismanagement. Following further discussion, on motion of Councilman Sewall, seconded by Councilman Knudsen, Council authorized the Directors of Building and Safety and Planning to work with the developers until the ordinance is followed substantially and to a reasonable extent, stating that within one foot is considered reasonable; and to permit delayed planting of the required second tree on each lot until location of the mobile

ORAL PETITIONS FROM THE FLOOR (Continued)

home, provided that the tree planted be of comparable maturity to the original one.

PLANNING COMMISSION RECOMMENDATIONS

As considered by the City Council at a regular meeting thereof held March 7, 1972 at 3:00 P.M.

Present: Councilmen DeMirjyn, Knudsen, Miller, Sewall, Mayor Cummings; Deputy City Attorney Bill Brunick

1. R.P.C. No. 359 - Amendment No. 102 to Ordinance 1000

That R.P.C. No. 359, a resolution of the Planning Commission amending Section 17.00 - R-1, Single Family Residential District of Zoning Ordinance 1000, as pertains to properties development standards for side yards, be approved. On motion of Councilman DeMirjyn, seconded by Councilman Miller, R.P.C. No. 359 was adopted by the City Council and Ordinance No. 1479, an Ordinance of the City Council establishing Amendment No. 102 to Zoning Ordinance 1000 was given first reading of the title and laid over under the rules with public hearing set for March 21, 1972 at 7:00 P.M.

2. Zone Change No. 142 - Robert B. Eberly

That R.P.C. No. 360, a resolution of the Planning Commission for adoption of Zone Change No. 142 creating a change of zone from A-1 (Agriculture District) to A-D (Airport District) for .459 acres of property south of and adjacent to Redlands Municipal Airport be approved. On motion of Councilman DeMirjyn, seconded by Councilman Miller, R.P.C. No. 360 was adopted by the City Council. Ordinance No. 1478, an ordinance to establish Zone Change No. 142 was given first reading of the title with public hearing set for March 21, 1972 at 7:00 P.M.

3. Conditional Use Permit No. 194 - Callie M. Easterling

That the request of Callie M. Easterling for a Conditional Use Permit to locate a day nursery at 1711 Orange Street, R-1 Zone, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated February 22, 1972 and according to the amended site plan be approved. Following explanation by Planning Director Schindler, on motion of Councilman DeMirjyn, seconded by Councilman Miller, Council unanimously approved Conditional Use Permit No. 194 subject to the recommendations of the various departments and the amended site plan and authorized that the applicant sign an agreement to install the required block wall when the adjacent property develops and be permitted to use, in the meantime, a chain link fence.

4. Lot Split No. 429 - Ralph A. Woolway

That the request of Mr. Ralph A. Woolway for permission to split property located at 737 Clifton Avenue, Lot Split No. 425, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated February 22, 1972, and amending Planning Department requirement No. 2 to provide that parcels A and B be increased to 145 feet and that the balance of No. 2 be deleted. On motion of Councilman DeMirjyn, seconded by Councilman Knudsen, this recommendation of the Planning Commission was adopted by the City Council unanimously.

5. Tentative Map - Tract 8499 - Mark Bequelin et al

This matter was tabled at the Council meeting of February 1, 1972, to allow time for the Country Club Board and the applicant to work out the problem of drainage onto the sixth fairway. Mr. Wagner mentioned the letter received from Mr. Charles Parker, President of the Country Club, expressing concern for mud debris and runoff water on the sixth green and fairway. Public Works Director Shone stated that no plans for the solution of the problem had been received in the Department of Public Works.

Mr. Ken King, Engineer for the applicant, addressed Council to say that the Country Club Board does not wish a drain as required by city ordinance but would prefer a series of check dams and dispenser.

Attorney Guay Wilson appeared to represent the Country Club Board of Directors and stated that the Country Club concurred in engineer King's plan that only a "short pipe" be installed under the road signified as street "A".

PLANNING COMMISSION RECOMMENDATIONS (Continued)

Director of Public Works Shone explained that maintenance of a soft bottom ditch as planned by the developer might become difficult and that property owners might not leave the check dams in place. He stressed that he believed that the City should abide by the ordinance and require the installation of the cement drain.

Engineer King stated that the costs of either method were similar for the developer but recommended that the swale be used with the series of check dams which will allow the water to percolate. He pointed out the size of the lots, one acre, and stated that the homesites are up and away from the swale adding that smaller lots would be a different problem. Councilman Sewall asked about erosion. Mr. King assured him this will be controlled by the series of check dams.

In the discussion which ensued, Council agreed that no easement is acceptable, that the soft bottom ditch or swale would remain on private property, and that the requirement for pipe would be waived. The Council also discussed the property at higher elevation which is in the county.

Planning Director Schindler stated that the city has no easement on this property presently.

Mayor Cummings stated that he was satisfied with the check dams, that the City would hold no easement, and that in place of the cement drain required by City ordinance the series of dams and dispenser were desired by the Country Club and the developers.

Councilman DeMirjyn so moved, seconded by Councilman Miller and carried by AYE votes of all present; Councilman Knudsen being absent from the Council table.

Mayor Cummings addressed Deputy City Attorney Brunick asking the newest ruling relative to conflict of interest.

Mayor Cummings addressed Councilman Knudsen stating that though he appeared to have a vested interest in the project subject to the application before the Council, since he had removed himself from the Council table, he wished the Councilman to know that new regulations would allow him to declare his interest and to vote on the matter under consideration. From the audience, Councilman Knudsen stated that he would Abstain.

In the discussion ensuing, it became evident that the motion above voted was unclear. On motion of Councilman Miller, seconded by Councilman DeMirjyn, the Council moved to rescind the vote on the above.

Following more discussion, on motion of Councilman DeMirjyn, seconded by Councilman Miller, it was moved to approve Tract No. 8499 subject to the requirements of all departments as outlined in Planning Commission minutes dated January 25, 1972 and to waive the requirements of Ordinance No. 1356 to install cement pipe drain; and to permit instead, the use of a dirt ditch with dams and dispenser as recommended by applicant's engineer and agreed upon by the Board of Directors of the Country Club through Attorney Guay Wilson, with this motion to also permit the cement culvert under street "A".

Director of Public Works Shone requested that the minutes indicate that he states his opposition to this procedure.

Deputy City Attorney Brunick stated that he wished the Council to be aware that in matters in which the Council goes against the Public Works Director's recommendation, there could be a problem of liability.

Mayor Cummings requested that the minutes reflect the fact that Mr. King, applicant's engineer, states that no flooding problems will arise.

Dr. Miller requested that the minutes reflect that the Country Club is reported in "perfect agreement" with this matter.

Councilman Sewall expressed concern with the questions brought up by Mr. Shone and states that he cannot vote for the matter, that he will not move to table it, but that he would vote in favor of tabling it.

The motion then carried by the following roll call vote:

PLANNING COMMISSION RECOMMENDATIONS (Continued)

AYES: Councilmen DeMirjyn, Miller, Mayor Cummings, who stated that he was voting with reservations but could accept the matter with the restrictions he has heard.
 NOES: Councilman Sewall
 ABSENT: Councilman Knudsen

PARK COMMISSION

Councilman Sewall announced that the City may shortly be asked to let a contract for the management of the orange grove at Prospect Park.

Councilman DeMirjyn announced that the Veterans Memorial dedication will take place on Mother's Day, May 14, with the Gold Star mothers as guests of honor, and invitations extended to Veterans Organizations and all people who contributed funds, labor, and materials.

HOUSING COMMISSION RECOMMENDATIONS

Assistant Manager Wagner presented the "Government Subsidized Housing Distribution Model for Valley Portion, San Bernardino County", which he explained would be used as a guide to help prevent an over-concentration of subsidized housing units in any one community or neighborhood. He recommended that Council adopt this model.

Housing
Distribution
Model

Mrs. Ann Siracusa of the County Planning Department described the application of the Model and answered questions for the Council. Councilman DeMirjyn expressed concern for the number of units they placed in the Model and stated that he would prefer to see a limitation of twenty to thirty in an area.

Following lengthy discussion, which included comments by Planning Director Schindler and Mr. Larry Hendon of the Housing Commission, on motion of Councilman Sewall, seconded by Councilman Miller, Council approved and adopted the Housing Commission recommendation, as follows:

"That the Council cooperate with the County in formulating the Model, subject to the approval of the Planning Director; that the Model be used by HUD as a guideline only, not to determine project allocation; and that the Model be up-dated regularly",

with the further provision that there should be no more than fifty units, either single or multiple, in any one development, by the following roll call vote:

AYES: Councilmen Knudsen, Miller, Sewall, Mayor Cummings
 NOES: Vice Mayor DeMirjyn
 ABSENT: None

COMMUNICATIONS

Mayor Cummings acknowledged a letter from Mr. Douglas B. Warren of Big Boy Restaurants. Director of Public Works Shone stated that he had replied to this letter concerning off-site improvements for the Big Boy Restaurant development.

Mayor Cummings brought a letter from the Division of Highways concerning an additional truck lane for eastbound traffic to be built by the state on Highway 10 east of the city limits.

The Council considered this at length and also discussed requesting the State to install offramps at the Wabash overpass. Councilman Knudsen added that this would be an advantage to people in that area and would be a direct route to the airport.

COMMUNICATIONS (Continued)

Resolution No. 2931
Offramp Connection, Wabash

Director of Public Works Shone stated that the County might be reluctant to undertake increasing their road mileage. Following further discussion, on motion of Councilman Knudsen, seconded by Councilman Sewall, it was unanimously moved to send a resolution to the Board of Supervisors requesting their cooperation in providing connections to the Wabash offramp north to Wabash and to Sunset Drive.

Resolution No. 2930
Sales Tax Distribution

Councilman Sewall presented a resolution from the City of Norwalk pertaining to the distribution of sales tax from shopping centers. Following discussion, on motion of Councilman Sewall, seconded by Councilman Knudsen, a similar resolution prepared by the City Attorney and applicable to the City of Redlands was unanimously adopted.

NEW BUSINESS

Mr. Wagner presented the evaluation of the applications for City of Redlands CATV franchise. These franchises were submitted by Redlands Cablevision Company, Televents of California, Inc., and United Cablevision, Inc. These were evaluated by the CATV consultant, Mr. Carl Pilnick, who worked closely with the City's CATV ad hoc committee consisting of Councilman Charles DeMirjyn, Mr. Arthur Jensen, San Bernardino Valley College; Mr. Donald Henley, Director of Communications, S. B. County; Mr. Robert Campbell, Redlands Unified School District; Mr. Ed Losee, RUSD; and Mr. John Wagner.

It is the recommendation that award of the franchise be made to Televents of California, Inc. Mr. Wagner requested approval of the following motion:

1. That the City Council authorize the City Manager to negotiate, subject to Council approval, a non-exclusive CATV franchise agreement with Televents of California, Inc., based on the City's CATV consultant's recommendation.
2. That in the event that a franchise agreement cannot be negotiated satisfactorily with Televents, the City Manager be authorized to negotiate a franchise under the same conditions with the next highest ranking applicant, United Cablevision.
3. That Resolution No. 2928, a resolution of the City Council declaring intention to grant a franchise for community antenna television system to Televents of California, Inc., be adopted.

Resolution No. 2928
CATV Franchise

Mr. Pilnick and Mr. Henley gave explanations and answered questions. Mr. Steve Shone of Denver, representing United Cablevision, described his company's experience and offered to explain or reevaluate their proposal. Mr. Pilnick described the extent of his studies and research and stated that he would not object to the applicants receiving copies of his report, but recommended that these be made available after the public hearing of March 21.

Mr. Wagner explained that the resolution, if adopted this evening, would be published in the newspaper, and would set public hearing on this matter for March 21, at which time the Council might introduce an ordinance awarding the franchise. This would then follow the normal procedure for ordinances and be adopted two weeks later.

On motion of Councilman Sewall, seconded by Councilman Miller, the Council adopted the recommendations of Mr. Wagner by the following roll call vote:

NEW BUSINESS (Continued)

AYES: Councilmen DeMirjyn, Miller, Sewall, Mayor Cummings
 NOES: Councilman Knudsen, for the reason that one of the proposals
 was not presented to him
 ABSENT: None

Mayor Cummings expressed the Council's appreciation to Vice Mayor DeMirjyn, Mr. Wagner, Mr. Carl Pilnick, and the committee for their hours of work.

Mr. Robert Campbell of the RUSD thanked the Council for the consideration that the schools have received in this matter and added that he believed the committee had been unanimous in their approval of this presentation.

Ecology
 Task Force

On motion of Councilman Knudsen, seconded by Councilman Sewall, a new board was appointed to the Ecological Task Force, consisting of the following: Mrs. Evelyn Ifft, Robert Wright, Miss Kathy Kinzie, Miss Joanne Faulstich, Bob Montgomery, Roger Lewis, Kenneth McClellan.

Letters of appointment over the Mayor's signature were authorized, and letters of appreciation to those who have served on the Task Force in the past.

Resolution
 No. 2929
 Intent to
 Annex

Upon motion of Councilman Miller, seconded by Councilman Knudsen, Resolution No. 2929, a resolution declaring the intention of the Council to proceed to annex certain uninhabited territory, Annexation No. 46, was unanimously adopted.

CITY MANAGER

Tax Deed

On motion of Councilman DeMirjyn, seconded by Councilman Miller, the City Manager was authorized to execute a certificate of acceptance in behalf of the City for a parcel of tax-deeded property purchased by the City for street right-of-way on the west side of Marion Road.

Soils
 Study

Director of Public Works Shone requested approval to enter into an agreement with the firm of Leroy Crandall and Associates of Los Angeles to perform required soils investigation necessary for the design work being done at the sewage treatment plant. This firm is recommended by the consulting firm of John Carollo Engineers, and this figure is not to exceed \$10,400.00; funds are to come from the Sewer Treatment Plant modification and expansion project.

Following lengthy discussion, authorization was given, on motion of Councilman Sewall, seconded by Councilman Miller, with the proviso that the Director of Public Works first investigate the possibility of having this study made locally.

Water
 Contracts

On motion of Councilman DeMirjyn, seconded by Councilman Sewall, Council approved the transfer of the following Option B Water Contracts:

From Blaine J. & Alfreda Stephenson to Blaine J. Stephenson

From W. & P. Alhadeh and E. & F. Samario to Peter & Jennie Rienks

From M. & Elva M. Balaban to Steve & Ruth Van Grouw

From Blaine J. & Alfreda Stephenson to Daniel J. Rothenberger

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

There being no further business, the Council adjourned, on motion, at 9:20 P.M.

Next regular meeting, March 21, 1972.

ATTEST:

Cecily A. Mosley
City Clerk

Jack B. Cummings
Mayor of the City of Redlands

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