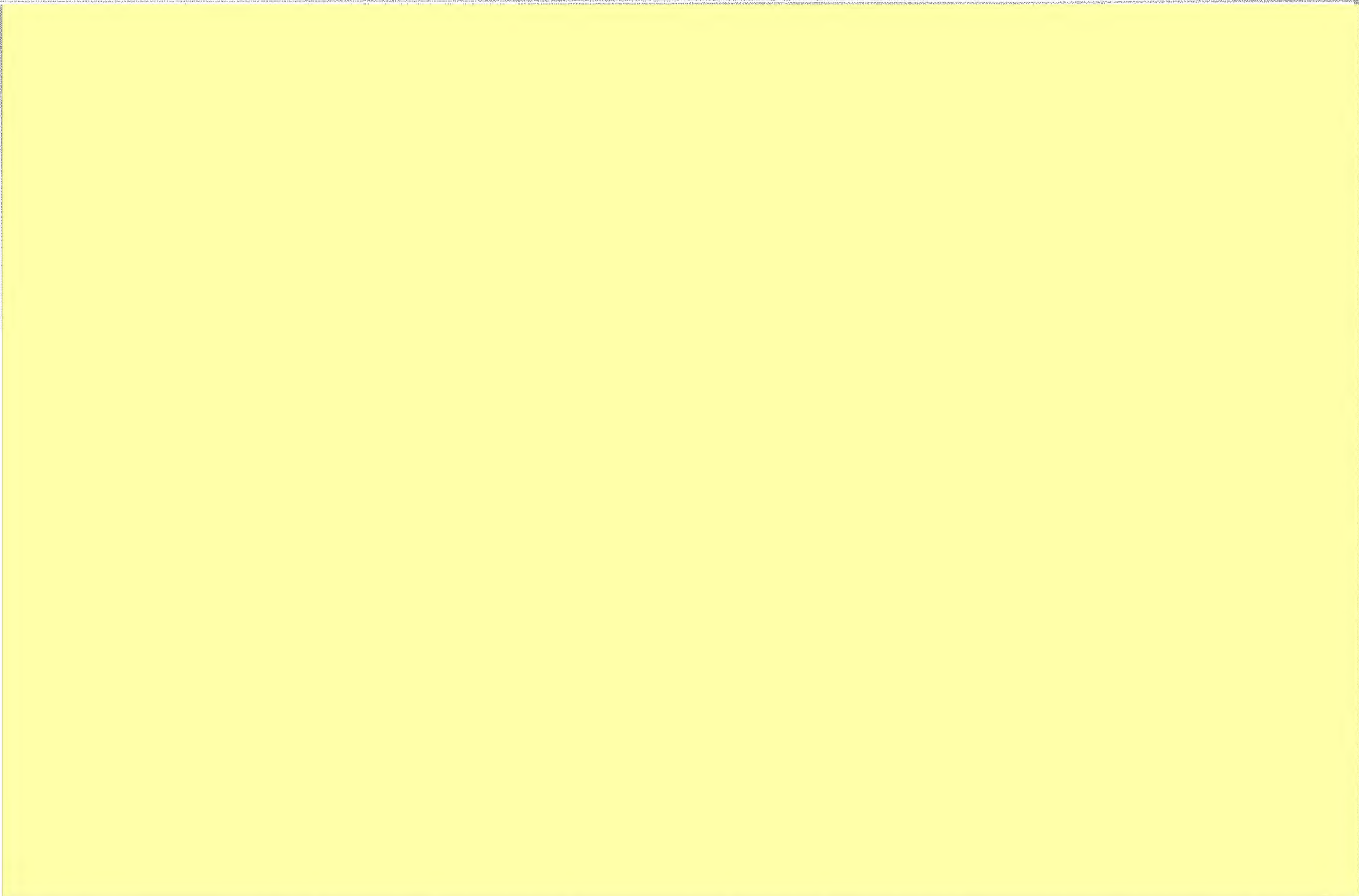




MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on August 7, 1973 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
- Sam S. Sewall, Councilman
- R. P. Merritt, Jr., City Manager
- Bill Brunick, Deputy City Attorney
- Peggy A. Moseley, City Clerk
- Erwin S. Hein, Redlands Daily Facts
- Chuck Palmer, San Bernardino Sun
- Ellsworth E. Miller, Councilman

ABSENT

The meeting was opened with the pledge of allegiance, followed by the invocation by Reverend Edward J. Connolly of St. Mary's Catholic Church. The minutes of the regular meeting of July 17 and the adjourned regular meeting of July 24, 1973 were approved as submitted.

PUBLIC HEARINGS

CATV

Ordinance No. 1455, which grants a fifteen-year franchise for CATV within Redlands to Televents of California, Inc., requires Council approval and a public hearing for any transfer of franchise. At this time Mayor Cummings declared the meeting open as a public hearing for any comments or questions concerning this request. No comments or questions being forthcoming, the public hearing was declared closed. Mr. Gail Oldfather, president of Televents, Inc., explained to Council that the transfer is being requested for internal restructuring and that the financial strength will remain the same. Following brief discussion, on motion of Councilman Sewall, seconded by Councilman Knudsen, Resolution No. 3058, a resolution of the City of Redlands approving transfer of the franchise from Televents of California to Televents of Redlands, subject to completion of the guarantee agreement and filing of an acceptance by Televents

PUBLIC HEARINGS (Continued)

of Redlands with the City Clerk within ten days, was adopted by AYE votes of all present.

Ordinance
No. 1519
Zoning
Ordinance

Public hearing was also advertised for this time and place on Ordinance No. 1519, an ordinance of the City of Redlands amending Zoning Ordinance No. 1000 as relates to property development standards for interior yards and courts for group dwellings, and procedure for Home Occupation Permits.

Mayor Cummings again opened the meeting as a public hearing for any comments or questions concerning this ordinance. None being forthcoming, the public hearing was declared closed. Following a brief explanation by Planning Director Schindler, Ordinance No. 1519 was adopted, with waiver of the reading of the ordinance in full, on motion of Councilman Knudsen, seconded by Councilman Sewall, by the following roll call vote:

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

ORAL PETITIONS FROM THE FLOOR

Dr. Donald Shasky, of 734 West Highland Avenue, read a hypercritical prepared statement of allegations relating to Council action in efforts to acquire a disposal site. He stated that a cocktail party celebrating the "windfall" to former mayor Charles Parker was attended by Council members following the meeting of June 5, 1973.

On detailed questioning by Councilman Sewall later in the evening, Dr. Shasky stated that he did not have personal knowledge of the material he had read, did not accuse Mr. Sewall of attending the cocktail party, would not reveal the source of his allegations.

Mayor Cummings stated that he attended no party, explained to Dr. Shasky that the meeting he referred to lasted from 7:00 to 11:15 in the evening, and he could not believe there was any frivolity following it.

COMMISSION REPORTS

Planning Commission Recommendations as considered by the City Council at a regular meeting thereof held August 7, 1973 at 3:00 P.M.

Present: Councilmen Knudsen, Sewall, Vice Mayor DeMirjyn; Deputy City Attorney Brunick

Absent: Councilman Miller, Mayor Cummings

1. R.P.C. No. 394 - Precise Street Plan No. 11

This matter was tabled to September 4, 1973 on motion of Councilman Knudsen, seconded by Councilman Sewall, at the request of General Telephone Company through Division Manager C. B. Miller.

2. Variance No. 177 - Clyde Fisher, Jr.

This application for variance was tabled; however, Council briefly discussed a problem of improperly located construction. Planning Director Schindler stated that some cities require certification of all setbacks by a licensed surveyor and recommended this procedure for Redlands.

Councilman Knudsen added that occasionally when the pads are poured prior to location of curb and gutter wrong location can result.

3. Tentative Map - Tract No. 8845 - D. C. Andrew Smith, Jr.

That Tentative Map of Tract No. 8845, located on the southwest corner of South Avenue and Myra Street, R-E zone, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated July 24, 1973, adding to Planning Department recommendations No. 6: The driveway to lot 1 to be located on the westerly half of the lot and the driveway on lot 2 to have access to Myra Street. Following discussion, which included Mr. Knudsen's statement that he was the engineer on this project, on motion of Councilman Sewall, seconded

PLANNING COMMISSION RECOMMENDATIONS (Continued)

by Councilman DeMirjyn, Council approval was given by the following roll call vote:

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

4. Lot Split No. 445 - A. M. Wilson & M. E. Messersmith

That the request of Wilson and Messersmith for permission to split property located at 1455 Pacific Street, R-E zone, Lot Split No. 445, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated July 24, 1973. On motion of Councilman Sewall, seconded by Councilman Knudsen, Lot Split No. 445 was approved by AYE votes of all present.

5. Lot Split No. 446 - Earl E. Herring

That the request of Earl E. Herring for permission to split property located at 900 and 902 West State Street, R-2 zone, Lot Split No. 446, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated July 24, 1973. On motion of Councilman Sewall, seconded by Councilman Knudsen, Lot Split No. 446 was approved by AYE votes of all present.

6. Sign Code Enforcement

Council briefly commented upon the denial by the Planning Commission when the Commission reconsidered the Van De Kamp sign presently located at Gerrard's Market, stated that the City sign code must be strictly enforced, and that the existence of signs approved prior to the present code must be explained to interested persons.

7. Tract No. 8499 - Mark Bequelin, et al - Final Approval

All requirements having been complied with as outlined in Council minutes dated March 7, 1972, it is the recommendation of the Planning Department that final approval be given for Tract No. 8499. On motion of Councilman Sewall, seconded by Vice Mayor DeMirjyn, final approval of Tract No. 8499 was given by the following roll call vote:

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

8. Lot Split No. 442 - W. E. Brown - Final Approval

All requirements having been complied with as specified in Council minutes dated June 5, 1973, it is the recommendation of the Planning Department that final approval be given for Lot Split No. 442. On motion of Councilman Knudsen, seconded by Councilman Sewall, final approval of Lot Split No. 442 was given by AYE votes of all present.

Park Commission - Vice Mayor DeMirjyn presented the name of Dr. Lloyd A. Dayes for membership on the Park Commission. He stressed the achievement in the beautification of Redlands that Dr. Dayes has done in Smiley Heights. Council expressed pleasure at Dr. Dayes' willingness to serve on the Park Commission, and he was appointed on motion of Councilman DeMirjyn, seconded by Councilman Knudsen, by AYE votes of all present.

Traffic Commission - The Traffic Commission at its meeting of July 19, 1973 made the following recommendations:

Resolution
No. 3060

Traffic -
Stop Signs

SECTION ONE: Pursuant to Article 673, Section 67303 (a) of the Redlands Traffic Ordinance:

1. Establish "Stop" sign to stop north bound traffic on Crown Street at intersection with Highland Avenue.
2. Establish "Stop" sign to stop west bound traffic on Cedar Avenue at intersection with Highland Avenue.

COMMISSION REPORTS (Continued)

SECTION TWO: Pursuant to Article 679, Section 67901 (b) of the Redlands Traffic Ordinance:

1. Eliminate angle parking on Olive Avenue between Sixth Street and Eureka Street on both sides of the street and replace the parking with parallel parking lines.

Following discussion, on motion of Councilman DeMirjyn, seconded by Councilman Knudsen, Resolution No. 3060 was adopted, to establish the changes outlined (stop signs) in Section One.

Olive Ave.
Parking

The removal of angle parking on Olive Avenue recommended in Section Two was discussed at very great length, with the information that 42 spaces would be lost by this change, replacement spaces for these 42 cars would be valued at approximately \$2,000 per space, and that five minor accidents had been reported in 1972 in this area. Council added that Olive Avenue is storage-type parking rather than in-and-out parking. Following further discussion, on motion of Councilman Knudsen, seconded by Councilman Sewall, this recommendation was tabled pending a study of alternate parking arrangements by the City staff.

APPLICATIONS AND PETITIONS

Septic Tank

Mrs. William E. White, 1650 Ford Street, requested permission to install a septic tank and seepage pit, in lieu of sewer extension, for the reason that her home is actually 250 feet from the end of the existing sewer main. Acting Director of Public Works Shefchik explained that although the nearest corner of Mrs. White's property is indeed within 100 feet from the nearest sewer, this installation would be extremely costly and use of a septic tank would not constitute a health or safety hazard, and the sewer would be extended at such time as her property is subdivided. Following discussion, on motion of Councilman Knudsen, seconded by Councilman Sewall, this permission was authorized by AYE votes of all present.

Bowl
Use

The request of the First United Pentecostal Church for use of the Redlands Bowl between 7:00 and 10:00 P.M. during the week of September 18 through 22 was approved subject to payment of fees, on motion of Councilman Knudsen, seconded by Councilman DeMirjyn, by AYE votes of all present.

Application for alcoholic beverage license transfer at the Tartan of Redlands was brought for information purposes only.

On motion of Councilman DeMirjyn, seconded by Councilman Sewall, approval was given for Councilman Knudsen to be out of the Continental United States for a short time during the next three months.

License
Waiver
Denied

The application of the American Missionary Society of Los Angeles, California, for exemption of business license requirement for door-to-door solicitation within the City of Redlands was denied on motion of Councilman DeMirjyn, seconded by Councilman Knudsen, by AYE votes of all present.

COMMUNICATIONS

City Manager Merritt read a letter received from Neste, Brudin & Stone, the engineering firm hired to evaluate the disposal site and prepare an application to the Regional Water Quality Control Board. The letter described soil permeability and erosive characteristics which would require very careful monitoring if used as a disposal site,

COMMUNICATIONS (Continued)Disposal
Site

and stated that survey and photogrammetry revealed a limited capability of the site to meet the requirements for use as a regional facility.

City Manager Merritt then presented a rescission agreement from Charles C. and Juanita B. Parker to terminate the disposal site purchase and a directive to cancel the escrow. Mr. Merritt recommends adoption of this agreement and escrow cancellation authorization. Councilman Knudsen moved, and Vice Mayor DeMirjyn seconded, that the City accept the rescission agreement and authorize cancellation of the escrow, and that the Mayor be authorized to sign in behalf of the City.

In the discussion which followed, Vice Mayor DeMirjyn suggested the City seek a smaller site, one to last five to eight years. Mayor Cummings stated that he was not anxious to work on a smaller site. Councilman Sewall pointed out that the environmental quality studies just completed by SCAG indicated that solid waste recycling will not be available for the next fifteen years. The agreement was eventually adopted by the following roll call vote:

AYES: Councilmen DeMirjyn, Knudsen, Mayor Cummings
 NOES: None
 ABSTAIN: Councilman Sewall, who stated that he did not have sufficient information at this point to vote.
 ABSENT: Councilman Miller

Councilman Knudsen read from West's Annotated California Codes, Chapter 6.5 - Contracts of Sanitation or Sewerage Enterprises, and stated that he believed this chapter related to the original vote on the disposal site, which vote he held to be illegal.

Mr. Knudsen then explained to those in the audience the process in which Codes are kept up to date by a "Cumulative Pocket Part." (This is reprinted each year to keep all newly adopted, revised and rescinded laws in correct relationship.)

Deputy City Attorney Brunick stated that he stands on his prior opinion and concurred wholeheartedly with the League of California Cities.

Mayor Cummings referred to communications from George H. Murphy, Legislative Counsel of California, and from the League of California Cities' Staff Attorney, Mrs. Carla F. Reid, which state that Government Code Section 54725 is limited to approval of a contract to be financed by revenue bonds, and stating that the action taken by the City Council at its meeting of June 5 is authorized by Government Code Section 37350 and 37351.

Councilman Sewall pointed out that laws are subject to interpretation and used as an example the diversified opinions of members of the Supreme Court.

Airport
Improvement

City Manager Merritt reported receipt of letters from Charles H. Ellsworth, of the Redlands Flight Service, Jerry Arendt, President of the San Geronio Aero Club, and R. A. Slayman, Director of Public and Consumer Relations of Lockheed Propulsion Company, commending the City on the recent improvements at Redlands Airport. Mr. Merritt expressed appreciation to John Wagner, Administrative Assistant, for bringing these about at very little cost to the City. The Mayor added his thanks to Mr. Wagner.

COMMUNICATIONS (Continued)

Mr. DeMirjyn brought a request by Mel Matthews of Alpha Beta for a place to play softball. This request will be directed to the Recreation Department and Recreation Commission.

On motion of Councilman Sewall, seconded by Councilman DeMirjyn, a letter of congratulation to the Board of Directors of the Redlands Community Hospital was authorized over the Mayor's signature for the achievement of status as a primary Emergency Facility, as recently announced by the County Medical Society.

UNFINISHED BUSINESS

Reverend Ted Hurlburt commented briefly on the three meetings held by the Ad Hoc Committee appointed by Council to study Revenue Sharing for Social Services and presented the following recommendations for support:

North Redlands Neighborhood Clinic	\$3,208.00
Redlands Legal Assistance Clinic	2,520.00
Employment Office	2,880.00
TEL-MED	600.00
	<u>\$9,208.00</u>

Revenue
Sharing

The committee further recommends that the Redlands Office of the American Red Cross act as financial Administering Agent to disburse the funds, and that the funds be available September 1, retroactive to August 1.

Council discussed many aspects of the matters considered by the Ad Hoc Committee; each expressed regret that the minutes of the meetings had not been received, and questioned whether or not the conclusions had been by unanimous vote.

Mr. Hurlburt expressed concern that guidelines for the operation of the committee itself, eligibility for aid, and the control and reporting of the funds were not yet established. Mayor Cummings stated that the National Conference of Mayors recommended that these funds should be used where Federal programs had ceased or become greatly reduced. Mr. Francis Riley urged Council support of these listed expenditures. Mr. John Clark of 1115 Lugonia, reminded Council of other established organizations which also need funds.

Attorney Brunick stated that an Attorney General opinion will soon be received and recommended that the matter be tabled until a written opinion and definition is in hand; he pointed to the 110% penalty for illegal use of revenue sharing funds.

On motion of Councilman Knudsen, seconded by Councilman DeMirjyn, the matter was tabled by AYE votes of all present.

Mayor Cummings announced that his representative to the committee, Mr. Leo Hernandez, was moving, and that Ismael Soto would replace him.

NEW BUSINESS

Hillside
Memorial
Park

Resolution No. 3061, a resolution of the City of Redlands which amends the rules governing the operation of Hillside Memorial Park, to prevent removal of flower vases from gravesites and controlling the placing of potted plants and glass vases on the mausoleum floor, was adopted by AYE votes of all present on motion of Councilman DeMirjyn, seconded by Councilman Knudsen.

CITY MANAGERAnnexation
To Vehicle
Parking
District

Annexation as requested by Board of Parking Place Commission of Parcel #501-171-061-18 to Vehicle Parking District #1, upon payment of the assessment of \$1,879.65 to the District, was approved by AYE votes of all present on motion of Councilman Sewall, seconded by Councilman Knudsen. *See map on envelope on front of record.*

Business
and
Improvement
Area "A"

To process the above annexation to the Parking and Business Improvement Area "A", a public hearing is required; on motion of Councilman Knudsen, seconded by Councilman DeMirjyn, public hearing was authorized advertised on the above matter for September 4, 1973 at 7:00 P.M.

Police
Vehicles

Purchase of six 1974 CHP Vehicles for the City of Redlands by the Department of General Services of the State of California was authorized by Resolution No. 3062, which was adopted by AYE votes of all present on motion of Councilman DeMirjyn, seconded by Councilman Knudsen.

The City Clerk was authorized to advertise for bids on the following three items by AYE votes of all present:

Bid Calls

Design and installation of a fire sprinkler system in the basement of the A. K. Smiley Library, on motion of Councilman Knudsen, seconded by Councilman Sewall;

Industrial-type Tractor Loader with Backhoe, on motion of Councilman DeMirjyn, seconded by Councilman Knudsen;

One latest-model Tandem Steel Wheel Pavement Roller, 8-10 tons minimum weight, on motion of Councilman DeMirjyn, seconded by Councilman Knudsen.

Grant Deeds

Two grant deeds were accepted by AYE votes of all present with the City Manager authorized to execute the certificate of acceptance on behalf of the City:

Archbold

Grant Deed for street right-of-way purposes from H.L. and D.J. Archbold in connection with Lot Split 427 on motion of Councilman DeMirjyn, seconded by Councilman Sewall;

Texaco

Texaco property at 5th Street and Redlands Boulevard, on motion of Councilman Knudsen, seconded by Councilman Sewall.

City Manager Merritt reported an increase in population to 37,700 will be certified August 31, 1973 by the State Department of Population Research. Mr. Merritt added that this will bring about a \$20.50 per individual increase in motor vehicle, gas tax, highway carriers and cigarette tax receipts.

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

There being no further business, Council adjourned, on motion, at 9:00 P.M.

Next regular meeting, August 21, 1973.

ATTEST:

Peggy A. Moseley
City Clerk

Jack B. Cummings
Mayor of the City of Redlands