

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on May 20, 1975 at 7:00 P.M.

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

PRESENT

Jack B. Cummings, Mayor
Ellsworth E. Miller, Vice Mayor
Charles G. DeMirjyn, Councilman
Chresten M. Knudsen, Councilman
Bertha Rose Grace, Councilwoman

R. P. Merritt, Jr., City Manager
Edward F. Taylor, City Attorney
Peggy A. Moseley, City Clerk
Erwin S. Hein, Redlands Daily Facts
Pat Sheeran, San Bernardino Sun
Charles Roberts, KCAL

ABSENT

None

The meeting was opened with the pledge of allegiance, followed by the invocation by Councilman Chresten M. Knudsen.

The minutes of the regular meeting of May 6, 1975 were approved as submitted.

PUBLIC HEARINGS

Annexation
No. 50

Ordinance
No. 1555

Resolution No. 3177, as advertised, set the public hearing on Annexation No. 50 for this time and place. Mayor Cummings declared the meeting open as a public hearing for any questions or comments concerning the annexation and for any protests from property owners within the annexation. No comments being forthcoming, the public hearing was declared closed, and Ordinance No. 1555 approving Annexation No. 50 was given first reading of the title and laid over under the rules, with second reading set for June 3, 1975.

Ordinance
No. 1553

Zoning -
Annexation
No. 50

Public hearing was also advertised for this time and place on Ordinance No. 1553, an ordinance of the City Council adopting zoning for proposed Annexation No. 50. The Mayor again opened the meeting as a public hearing for any questions or comments concerning this ordinance. None being forthcoming, the public hearing was again declared closed. Following brief discussion of this Commercial-Industrial zoning which is being proposed for several parcels of property, Ordinance No. 1553 was adopted, on motion of Councilwoman Grace, seconded by Councilman Miller with waiver of reading of the ordinance in full, by the following roll call vote:

AYES: Councilmembers Miller, Knudsen, Grace, Mayor Cummings
NOES: Councilman DeMirjyn, for the reason that he believes that this will be detrimental to the downtown area
ABSENT: None

Ordinance
No. 1554

Conditional
Use Permits

This was also the time and place advertised for public hearing on Ordinance No. 1554, an ordinance of the City Council amending Zoning Ordinance No. 1000, Uses Permitted under Conditional Use Permit and Application Procedure. Mayor Cummings again declared the meeting open as a public hearing for any questions or comments concerning this ordinance. None being forthcoming, the public hearing was declared closed, and Ordinance No. 1554 was adopted, on motion of Councilman DeMirjyn,

PUBLIC HEARINGS (Continued)

seconded by Councilman Miller, with waiver of reading of the ordinance in full, by the following roll call vote:

AYES: Councilmembers Miller, DeMirjyn, Knudsen, Grace, Mayor Cummings
 NOES: None
 ABSENT: None

COMMISSION RECOMMENDATIONS

Planning Commission recommendations as considered by the City Council at a regular meeting thereof held on May 20, 1975 at 3:00 P.M.

Present: Councilmembers Miller, DeMirjyn, Knudsen, Grace, Mayor Cummings; City Attorney Taylor

1. R.P.C. No. 423 - Amendment No. 127 to Ordinance No. 1000

That R.P.C. No. 423, a resolution of the Planning Commission for adoption of Amendment No. 127 to Ordinance No. 1000, Section 27.20D, to permit retail store containing a gross leasable area of 75,000 square feet in C-M (Commercial-Industrial) District by Conditional Use Permit be approved. The matter was discussed at length by Council as relating to three of the properties the K-Mart Corporation is considering. It was explained by Mr. Schindler that the Conditional Use Permit refers to one tenant with the leasable area of 75,000 square feet and not a group of stores. Following further discussion, on motion of Councilwoman Grace, seconded by Mayor Cummings, R.P.C. No. 423 was approved, and Ordinance No. 1556, an ordinance of the City Council to establish Amendment No. 127 to Ordinance No. 1000 was given first reading of the title and laid over under the rules with the Public Hearing set for 7:00 P.M. on June 3, 1975, by the following roll call vote:

AYES: Councilmembers Miller, Knudsen, Grace, Mayor Cummings
 NOES: Councilman DeMirjyn
 ABSENT: None

2. Tentative Map Tract No. 9005 - W.J.E. Corporation

That Tract No. 9005, located approximately 100 feet west of Serpentine Drive south of Palm Avenue extended, R-S Zone, be tentatively approved subject to the recommendations of the various departments as contained in Planning Commission minutes dated May 13, 1975, and adding Planning Commission Recommendation No. 5, subdivider's attention is drawn to all existing dirt and dirt control measures of the City, so that the least possible problem will be caused to the residents of the neighborhood. This matter was discussed and an amended map which would solve the problem of three lots abutting an adjacent property was submitted by the Planning Department. Following discussion, on motion of Councilwoman Grace, seconded by Councilman Knudsen, unanimous approval was given to Tract No. 9005 as subject to the recommendations above, emphasizing Planning Recommendation No. 5 regarding dust and dirt control, and as in accordance with the revised study map submitted by the Planning Department. This motion was adopted unanimously.

3. Tentative Map Tract No. 9044 - W.J.E. Corporation

That the Tentative Map of Tract No. 9044 located at the northwest corner of Cypress Avenue and Nottingham Avenue, R-S Zone, be approved, subject to the recommendations of all departments as outlined in Planning Commission minutes dated May 13, 1975, and subject to the departmental study map. This recommendation was unanimously approved on motion of Councilman Miller, seconded by Councilman DeMirjyn.

4. Tentative Map Tract No. 9048 - Jerob Incorporated

That tentative approval of Tract No. 9048, subject to the recommendations of the various departments as contained in Planning Commission minutes dated May 13, 1975, be approved. This matter was discussed at length, particularly the situation of the ornamental lighting on Cajon Street. Council expressed a desire to maintain the present lighting on Cajon Street.

D Director of Public Works Shefchik pointed out that some of the light standards are in bad condition and this was discussed briefly. Councilman Knudsen observed that there are newly manufactured light standards quite similar and as quaint as those on Cajon Street. Councilman DeMirjyn recommended that the one light be put on a new circuit. Council concurred in tabling the light portion of the approval for staff study. Tentative approval was unanimously given on motion of Councilman Miller, seconded by Councilwoman Grace.

ADDENDUM - Amendment to Ordinance No. 1000

It was announced that the matter of an amendment to Ordinance No. 1000 to permit conversion of existing residences for uses other than residential was tabled by the Planning Commission to the first meeting in

PLANNING COMMISSION RECOMMENDATIONS (Continued)

September to allow time for the staff to make recommendations of a possible ordinance.

Ordinance No. 1548

Mr. Schindler announced that Ordinance No. 1548, adopted as an emergency measure, will expire on July 18th. He recommended that a new slightly revised similar ordinance be adopted to conform to state requirements of the subdivision law. Following discussion, Council concurred in his recommendation and asked that such an ordinance be prepared.

Cajon St.

Park Commission - The Park Commission recommended that Cajon Street be retained at a 50-foot width with 80-foot right-of-way, that all the trees be preserved, and if necessary to widen in the future, that parking be removed. This report was noted, but consideration of Cajon Street remained tabled. Councilwoman Grace reported that the Park Commission had a very educational tour meeting last Thursday afternoon. Councilman Knudsen remarked that in addressing a Kiwanis meeting, Director of Parks MacKenzie reported that the City maintains street trees on both sides of 185 miles of streets.

Housing Commission - On motion of Dr. Miller, seconded by Councilman Knudsen, approval was given for a meeting of the Housing Commission on June 27, 1975 to consider senior citizen housing and other relevant matters.

Traffic Commission - Councilman DeMirjyn announced a communication from the Traffic Commission regarding the handling of Traffic Commission matters.

Public Works Commission - Councilman Knudsen reported briefly on the Public Works Commission review of the budget and listed the Commission recommendations to the City Manager.

APPLICATIONS AND PETITIONS

Redlands
Boulevard
Median
Strip

Mr. Howard L. Barnett, of 1427 West Redlands Boulevard, addressed Council briefly, requesting turn-bays in the Redlands Boulevard divider for the Almind Toyota Company and for his own business and tenants of his property. Mr. Barnett stressed the need of this access for business purposes, and added that one tenant had observed a car exiting from his business and proceeding west in the eastbound lane of Redlands Boulevard. It was explained that the matter of further cuts in the divider is under study, and will be considered at the budget session since funds are not now budgeted for this purpose.

Mayor Cummings briefly explained to the very large audience in attendance the history of the median strip in Redlands Boulevard, which was put there when it was Highway 99, a main coast-to-coast artery prior to the development of freeways.

Banners

Council received a petition from the Redlands Community Music Association for permission to put up an "across-the-street banner" to call attention to the Redlands Bowl summer session. This matter was referred to staff to investigate the condition of the hangers from which banners were hung many years ago.

Statement
of
Grievances

After presenting a written statement titled "Statement of Grievances" and beginning "We, the Chicano/Mexican - American community, are deeply concerned" (original on file in the office of the City Clerk); and a petition reported to contain 610 signatures "supporting the demands put forth in the Statement of Grievances," Mr. Albert Maldonado briefly addressed the City Council.

APPLICATIONS AND PETITIONS (Continued)

Mr. Maldonado explained that the "Statement" did not represent an attack on the police force as a whole; he likened aspects of the situation to the Lt. Calley incident in Vietnam. He stated that approximately 4,000 people live on the north side of Redlands and commonly feel a distrust of the police department and the city officials. He added that citizens suspect the Grand Jury because it is administered by the District Attorney.

Mr. Maldonado named four members of the police force by name, against whom he stated the people wish to protest; he strongly urged the formation of a committee of persons representing the police and persons representing the community to sit down with citizens who have complaints.

Mr. Maldonado accused the Council of not going over to the north side to see how the people over there feel, and added that this had not been done for a long time, and reiterated his belief of the need for a citizens' review committee to represent the police, the community and those who have grievances.

Mr. Maldonado referred to the delay in obtaining an ambulance to speed the victim to the hospital, a delay caused by all three ambulances being in use at the time of call; he claimed the people did not know the vehicles were in use.

Mayor Cummings interrupted Mr. Maldonado to state that he had investigated this immediately, had examined the duty log of the ambulances, had reported this regrettable fact at the meeting following the tragedy, at the Council meeting on May 6, and announced it in the press. Mayor Cummings added that the logs were available to anyone to examine.

Mr. Maldonado then stated that he was not asking for Council's concern but for their commitment.

Statement
of
Grievances
Continued

Mayor Cummings stated that as none of the Council members had seen this petition and statement prior to this evening's meeting and had no opportunity to study the contents, discussion at this time would be premature. He emphasized that it had always been the policy of the Council to review and investigate any employee of the City upon the request of any citizen of the City regardless of background, area of residence or other persuasion of the complainant.

Attorney Richard R. Beswick was introduced as the legal representative of the police officers. He greeted his friends and neighbors in the audience and stated that the considerable sum being paid him to represent the police was being turned over to Bishop Gilbert Chavez for the poor children of Guadalupe. Attorney Beswick requested the opportunity to thoroughly review and analyze the complaints. He expressed regret for the allusion to Vietnam within the framework of this problem, stated that he believed no one to be Vietcong. Mr. Beswick expressed the hope that greater community understanding would emerge from this tragedy.

Mayor Cummings agreed that he will meet with Attorney Maldonado, Attorney Beswick and other representatives next week. He added that he believed it was desirable to receive the District Attorney's report before making public statements.

Councilman DeMirjyn then referred to the accusation that Council had

APPLICATIONS AND PETITIONS (Continued)

not gone to the north side; he reminded the Council members and those present in the audience that six years ago he had met with Mayor Waldo Burroughs, Mr. Medina and four other community representatives from the north side, and that it was agreed that they would meet together to "rap" once a month. Mr. DeMirjyn stated that no one ever came to another meeting.

Mr. DeMirjyn declared that he did not believe any one individual could speak for a group as a whole; added that he had found the Mexican people to be a gentle people, and emphasized that if there were police in the area, they were there to offer protection to all. He deplored the fact that everyone was losing sight of the grievous murder which has been committed.

Antonia Casados of Redlands urged all to have mutual concern for the tragic murder, recommended that all people "bury the hatchet" and attempt to settle the problems and proceed to better the future.

COMMUNICATIONSHealth
Pamphlets

On motion of Councilman Knudsen, seconded by Councilman Miller, unanimous approval was given to the concept of the Southeast Conference of the Seventh Day Adventist students who are undertaking a missionary project of passing out health pamphlets in the counties of San Diego, Riverside and San Bernardino.

Mayor Cummings announced receipt of a resolution from the City of Riverside dealing with the nuclear safeguard initiative. Council concurred in tabling the matter for study.

Mayor Cummings announced the receipt of letters from the Redlands Chamber of Commerce relating to the K-Mart Store location, with the recommendations of the Parking Place Commission, and the revocation of the ordinance establishing Business and Improvement District A. Mayor Cummings also announced the receipt of a constructive letter from Jack Dangermond concerning Prospect Park. Also received was a communication from the Redlands-Yucaipa Guidance Clinic Association Board requesting assignment of a liaison officer between the Mexican-American community and the Police Department. Councilman Knudsen announced receipt of a letter praising the Fire Department in the handling of a recent fire, and praising the work of the Building and Safety Department in abating a nuisance.

Mayor Cummings announced the Citrus Belt meeting at Seven Hills Country Club in Hemet on May 28th. Also announced was a joint Council-School Board meeting on Thursday, May 29th at 7:00 P.M. at the School Board Room to discuss mutual concerns. Mayor Cummings announced a meeting on Friday, May 30th, in Upland, of mayors to study the furthering of the foothills freeway.

UNFINISHED BUSINESS

City Manager Merritt announced receipt of notification from the State that any change of plans for the original \$110,000 grant for Prospect Park would necessitate many public hearings and great delay, even as long as two years, in receiving the money. For this reason, he recommended that the City accept the grant and establish firm rules to put the new development on a "pay-as-you-go" basis in relation to maintenance costs. Following brief discussion, Councilwoman Grace moved that the P.O.D. Landscape Architects of Orange be retained to develop the

UNFINISHED BUSINESS (Continued)User Fees
Park
Property

necessary plans, designs, and specifications for Prospect Park Phase I Development, that the City accept the funding for the grant, and that the City establish appropriate user fees for all park property. The motion was seconded by Councilman Knudsen.

Park Director MacKenzie stated that he believed he could handle maintenance of the new property with an effective and enforced pay-as-you-go user fee, as he would be able to hire part-time people for the additional work. Council then briefly discussed fees which have been charged in the Redlands Bowl and discussed the situations in which waiver of the fee has been made in the past. Council members agreed that waivers would still be applicable under this new resolution. The motion was then unanimously adopted.

Resolution
No. 3178
Non-conform-
ing Use

Resolution No. 3178, a resolution of the City Council granting a twenty-year time extension, from September 15, 1975 to September 15, 1995, for the Non-Conforming Use known as Lucille's Sweet and Gift House located at 725 East State Street, was unanimously adopted on motion of Councilman Miller, seconded by Councilman Knudsen.

NEW BUSINESSOrdinance
No. 1557
Food In-
dustry
Sanitary
Procedures

Richard L. Roberts of the County Department of Environmental Health Services presented the County ordinance providing for certification of worker competency in food industry sanitary procedures. Mr. Roberts briefly explained the background of the development of this ordinance and strongly recommended its adoption by the Council. Procedures involved in this comprehensive ordinance were discussed at length.

Redlands' version of the ordinance, which contains two changes requested by Miss Gertrude Hagum, was given first reading as Ordinance No. 1557, with second reading and adoption set for the Council meeting of June 3. Mayor Cummings thanked Mr. Roberts and Mr. Welebir for attending.

SCAG
Approval

On motion of Councilman Knudsen, seconded by Councilman Miller, unanimous approval and support was given to AB 2290 (Warren) which is presently under consideration by the State Legislature. This bill would give a statutory base to the current activities being carried on by the SCAG organization.

Grant Deed
Staviski

A grant deed for street right-of-way purposes from Reverend Peter P. Staviski and Charlotte Ann Staviski in connection with Conditional Use Permit No. 235 was approved and authorized for acceptance on motion of Councilman DeMirjyn, seconded by Councilman Knudsen.

CITY ATTORNEYVehicle
Parking
District

City Attorney Taylor presented a memorandum developed by Garry Brown relating to the dissolution of the Parking District and added that both Mr. Malone and Mr. Harp agree to this solution.

Dr. Miller then moved to withdraw his motion for dissolution of the Vehicle Parking District from the table and to rescind the motion; his second, Mr. Knudsen, agreed. Dr. Miller then presented a five-part motion which included Mr. Taylor's recommendations; one section of this authorized the dissolution of the Redlands Parking and Business Improvement Area effective June 30, 1975. Before this motion received a second City Attorney Taylor explained that a Business Improvement Area is complicated to establish, and that he would strongly recommend amending the enabling ordinance to delete the taxing section of the ordinance and to

CITY ATTORNEY (Continued)

realign the area to conform exactly to that area included in the Vehicle Parking District by eliminating the property west of Orange Street which will fall within the Mall.

Following discussion, Councilman Miller reworded his motion as follows:

1. That the Vehicle Parking District not be dissolved, but that a realignment be made of the west boundary at Orange Street to exclude the Mall.
2. That the Parking and Business Improvement Area as established by Ordinance No. 1349 of December 27, 1967 be amended to eliminate the area west of Orange Street, and to coincide with the boundaries of the Vehicle Parking District; and that the taxing portion of the ordinance be deleted; and that all parking meters be removed by June 30, 1975.
3. That the Board of Parking Place Commissioners cancel their operator-management contract with the Chamber of Commerce.
4. That the Council not appoint another acting Board of Parking Place Commissioners until such time as it becomes necessary.
5. That a staff member be assigned to handle the operations of the remaining parking lots.

This motion was seconded by Councilwoman Grace, and following discussion, was unanimously adopted.

Ordinance
No. 1558
Vehicle
Parking
District

Ordinance
No. 1559
Parking &
Business
Improvement
Area

Upon the recommendation of the City Attorney, Council then gave first reading to Ordinance No. 1558, an ordinance of the City of Redlands amending Vehicle Parking District Ordinance No. 1028 to eliminate from the District the area west of Orange Street. Ordinance No. 1559, an ordinance of the City Council amending the Parking and Business Improvement Area in like manner, and deleting from this latter enabling ordinance, No. 1349, the section relating to taxation, was also given first reading. Second reading on both Ordinance No. 1558 and Ordinance No. 1559 will be at the Council meeting of June 3.

Mayor Cummings was given permission to be out of the state during the June 17th meeting, on motion of Councilman Knudsen, seconded by Councilwoman Grace. The Vice Mayor will preside.

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

There being no further business, Council adjourned, on motion, at 8:50 P.M.

Next regular meeting, June 3, 1975.

ATTEST:

Cecilia A. Mosley
City Clerk

Jack B. Cummings
Mayor of the City of Redlands