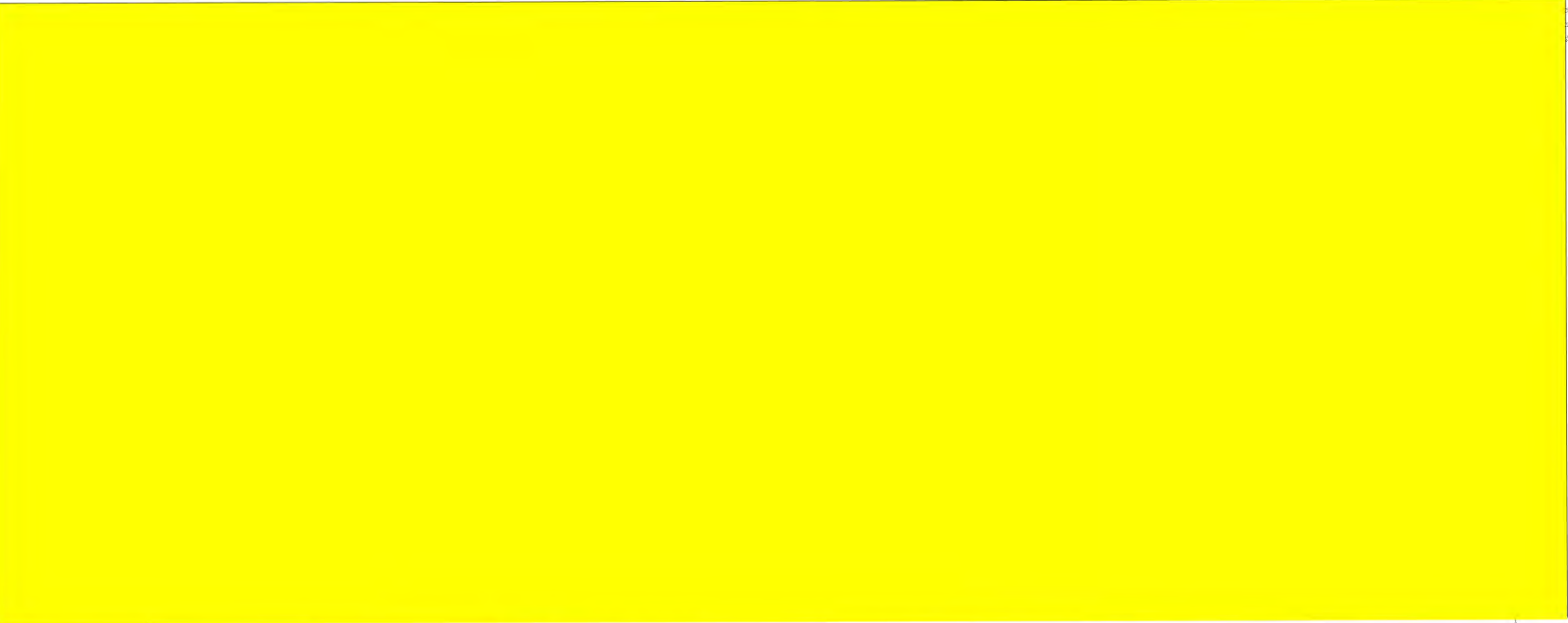




MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on December 19, 1978, at 7:00 P.M.
Planning Commission Items 3:00 P.M.

PRESENT

Oddie J. Martinez, Jr., Mayor
Chresten M. Knudsen, Vice Mayor
Charles G. DeMirjyn, Councilman
Warren R. Elliott, Councilman
Barbara Cram Riordan, Councilman

Chris C. Christiansen, City Manager
Edward F. Taylor, City Attorney
Peggy A. Moseley, City Clerk
Erwin S. Hein, Redlands Daily Facts
Floyd Reinhart, San Bernardino Sun

ABSENT

None

The meeting was opened with the pledge of allegiance, followed by the invocation by Reverend Eleanor Saffell of the Church of Religious Science. Mayor Martinez then asked those in attendance to observe a moment of silence in memory of Emily Perenchio, a former Housing Commissioner.

Minutes of the regular meeting of December 5, 1978, were approved as submitted.

BIDS

The following bid was opened and publicly declared by the City Clerk at 10:00 A.M. this date for paving materials for 1979:

Matich Corporation Colton, California		
1.	Dense graded, plant mixed asphalt	
	FOB Plant	\$10.40 per ton
	FOB jobs within City	12.00 per ton
2.	Open graded, plant mixed asphalt	
	FOB Plant	11.50 per ton
	FOB jobs within City	13.10 per ton
3.	Rock screening	
	FOB jobs within City	7.50 per ton
4.	Asphaltic emulsion	
	FOB Plant	.50 per gallon
	FOB jobs within City	1.00 per gallon

Bid Award

Paving
Material

At this time, it is the recommendation of the Department of Public Works that award be made to Matich Corporation.

On motion of Councilman Knudsen, seconded by Councilman Riordan, unanimous Council approval was given to award of the paving materials for the calendar year 1979 to Matich Corporation, Colton, California.

BIDS (Continued)

Bid Award
Weed
Abatement
Contract

A bid was opened and publicly declared by the City Clerk at 10:00 A.M. this date for the contract for weed abatement and waste removal work from Douglas Holman, Highland, California. It is the recommendation of the Fire Department that award be made to Douglas Holman. On motion of Councilman Elliott, seconded By Councilman DeMirjyn, unanimous Council approval was given to award Douglas Holman the contract for 1979 for weed abatement and waste removal work.

The Following Bids were opened and publicly declared by the City Clerk at 10:00 A.M. this date for one Crawler-Dozer for use by the Water Department:

Bid Award
Crawler-
Dozer

Johnson Tractor Company Riverside, California	\$35,000.00
Whitney Tractor Company Riverside, California	\$26,597.24

At this time, it is the recommendation of the Department of Public Works that award be made to the low qualified bidder, Whitney Tractor Company, subject to the Crawler-Dozer being in compliance with all Cal-OSHA requirements. On motion of Councilman DeMirjyn, seconded by Councilman Knudsen, unanimous Council approval was given to the award of the Crawler-Dozer to Whitney Tractor Company in the amount of \$26,597.24 contingent upon approval of the City's insurance carrier.

The following bids were opened and publicly declared by the City Clerk at 10:00 A.M. this date for the purchase of one 30,000 G.V.W. 1979 truck:

Bid Award
30,000
G.V.W.
Truck

Dieterich International Truck Sales San Bernardino, California	\$16,773.63
Lange and Runkel, Inc. Redlands, California	\$17,988.28
Trans-West Ford Truck Sales, Inc. Fontana, California	\$12,360.34

At this time, it is the recommendation of the Department of Public Works that award be made to Trans-West Ford Truck Sales, Inc. as this is the lowest qualified bidder. On motion of Councilman Knudsen, seconded by Councilman Riordan, unanimous Council approval was given to the award of the purchase of the 30,000 G.V.W. truck to Trans-West Ford Truck Sales, Inc. in the amount of \$12,360.34

Bid Award
Phase 1
Sylvan
Park
Lighting

Bids were opened and publicly declared on November 21, 1978 for lighting in Sylvan Park and referred to the Office of Community Development for study. At this time, the Office of Community Development has authorized the awarding of a bid in the amount of \$39,000.00 to Howell Construction Company, Inc. On motion of Councilman DeMirjyn, seconded by Councilman Elliott, unanimous Council approval was given to the award of phase one of three, lighting in the picnic areas of Sylvan Park, to Howell Construction Company, Inc. in the amount of \$39,000.00

PUBLIC HEARINGS

Ordinance
No. 1671

Zone
Change
No. 204

Public hearing was advertised for this time and place on Ordinance No. 1671, an ordinance of the City of Redlands which establishes a change of zone from A-1 (Agricultural) District to R-1 (Single Family Residential) District for approximately 15 acres of property located on the north side of Brockton Avenue, approximately 630 feet east of Lincoln Street. Mayor Martinez declared the meeting open as a public hearing for any questions or comments concerning this change of zone. None being forthcoming, the public hearing was declared closed, and Ordinance No. 1671 was adopted, with waiver of the reading of the ordinance in full, on motion of Councilman Elliott, seconded

PUBLIC HEARINGS (Continued)

by Councilman Riordan, by the following roll call vote:
AYES: Councilmembers Knudsen, Elliott, Riordan; Mayor Martinez
NOES: Councilmember DeMirjyn
ABSENT: None

ORAL PETITIONS FROM THE FLOOR

Proposition
R
Committee

Mr. William Emrick of 1674 Reservoir Road addressed Council briefly request-
ing clarification of action taken by Council at this afternoon's Planning
Session, and also how many tentative C.U.P.'s remain.

City Attorney Taylor stated that the Council had received a request for
final approval on a conditional use permit for 85 units. Mr. Taylor then
explained that the City has taken the position that under Proposition R, any
tract which had not gone final before Proposition R went into effect shall
be subject to Proposition R. He pointed out that Section 5 of the Initia-
tive Ordinance makes no reference to conditional use permits. He added he
believed there was no other way to interpret the omission of any reference
to conditional use permits with Section 5. In response to Mr. Taylor's
question, Planning and Community Development Director Schindler responded
that today's action had completed all tentatively approved conditional use
permits.

Mayor Martinez stated that in an executive session this afternoon, Council
considered recommendations for members of the advisory committee for imple-
mentation of Proposition R. Names were received from the Chamber of Com-
merce, CARE, Friends of Redlands, and the League of Women Voters.

Mr. Anthony Martinez also addressed Council briefly concerning conversation
with a councilmember and a former City employee. Mayor Martinez offered
to meet with Mr. Martinez privately concerning his request.

Street
Light
Waiver
Request

Mr. Robert Wells of 612 Falcon Lane brought a request for waiver of the
requirement for installation of a street light as required by ordinance.
Mr. DeMirjyn briefly explained the action of the Advisory Committee and the
policy of the City to require the installation of street lighting and re-
moval of old Edison poles. Mayor Martinez stated that a study would be
made of the problem and a report made to Mr. Wells on January 2.

Crawler-
Dozer
Bids

Mr. Frank Rapollo of Johnson Tractor and Mr. Karl Kahlman, a representative
of Whitney Tractor, both addressed Council concerning communications this
date with Cal-OSHA in San Francisco. Following their presentations regard-
ing the award of the bid for the Crawler-Dozer to the Whitney Tractor Company,
City Attorney Taylor recommended that Mr. DeMirjyn include in his motion for
award the statement "contingent upon approval by the City insurance carrier."
This addition was accepted by Mr. DeMirjyn and Mr. Knudsen, and unanimously
approved by the Council. (This is reflected in the bid award.)

COMMISSION RECOMMENDATIONS

Present:
Absent:

Planning Commission recommendations as considered by the City Council at a
regular meeting thereof held on December 19, 1978, at 3:00 P.M.

Councilmembers Knudsen, DeMirjyn, Elliott, Riordan; Mayor Martinez; City
Attorney Taylor
None

1. Commission Review and Approval No. 404 - McEwens, Inc.

A commission review and approval is not ordinarily reviewed by the City
Council, however, Planning Director Schindler wished to bring this matter
before the Council because the McEwen's Furniture building is on Redevelop-
ment Agency property. Following Mr. Schindler's explanation, on motion of
Councilman DeMirjyn, seconded by Councilman Elliott, this request for per-
mission to construct an additional warehouse area was unanimously approved
as originally proposed.

PLANNING COMMISSION RECOMMENDATIONS (Continued)2. Commission Review and Approval No. 406 - Dennis Figgins and Jack Bray

This request for conditional review and approval for an office building located on the south side of State Street, 40 feet east of Eighth Street, was given unanimous Commission approval in its minutes of the meeting of December 12, 1978.

At this time, Mr. Bray requested waiver of the requirement to replace a fire hydrant which is across the street and down from the property he is developing. Following brief discussion, on motion of Councilman Elliott, seconded by Councilman DeMirjyn, this requirement to replace the fire hydrant was waived by unanimous Council vote.

3. Sign Code Amendments - Recommendations

The proposed amendments to the Redlands Sign Code, as considered by the Planning Commission at their meeting of December 12, 1978, were approved by the City Council on motion of Councilman Riordan, seconded by Councilman Elliott. Ordinance No. 1674, an ordinance of the City Council to amend the Redlands Ordinance Code, Section 845, and Ordinance Nos. 1342 and 1464, was given first reading of the title and laid over under the rules with second reading set for January 2, 1979. In connection with introduction of this ordinance, Councilman DeMirjyn stated that he did not approve of the 50 foot height; Mr. Knudsen stated that he didn't wish to see any change in the sign code.

4. Minor Subdivision No. 60 - K. T. Boughner - Final Approval

All requirements as outlined in Council minutes dated August 1, 1978, having been completed, it is the recommendation of the Planning Department that Minor Subdivision No. 60 be approved. On motion of Councilman Riordan, seconded by Councilman DeMirjyn, unanimous approval was given this recommendation.

5. Appeal to Street Light Requirement - Robert D. Wells

Councilman DeMirjyn explained the reason the Advisory Committee refused to waive the requirement for street lights on this property. He explained that light was needed on this corner and that the new street lights are being required for the reason that they are less costly to the City to operate.

6. Minor Subdivision No. 61 - Barbara Parker - Final Approval

All requirements as outlined in Council minutes dated July 18, 1978, having been completed, it is the recommendation of the Planning Department that final approval be given Minor Subdivision No. 61. On motion of Councilman DeMirjyn, seconded by Councilman Riordan, this final approval was unanimously given.

7. Appeal to Decision of Environmental Review Committee Granting a Negative Declaration to a Project Proposed by John Moore and William Buster on November 20, 1978 - Walter E. Baumgartner

Council briefly discussed this appeal filed by Mr. Walter E. Baumgartner; the time for public hearing on this matter was set for January 2, 1979, at 7:00 P.M.

Planning Director Schindler stated that Mr. Baumgartner had paid the \$50.00 fee for this appeal in protest. Mr. Schindler stated further that he believed the fee was not intended to prevent citizens from registering concern about a decision of the committee, but rather to discourage individuals with proprietary interest from filing. He recommended that the Council waive the fee in this case and authorize return of the \$50.00 to Mr. Baumgartner. On motion of Councilman Knudsen, seconded by Councilman Riordan, authorization to waive the fee was given and a policy was established authorizing no charge to citizens for input where no proprietary interest existed. This policy was approved by the following roll call vote:

AYES: Councilmembers Knudsen, Elliott, Riordan; Mayor Martinez
 NOES: None
 ABSENT: None
 ABSTAIN: Councilmember DeMirjyn

Following the handling of the regular agenda from the Planning Commission, Council then turned to the subject of final approval applications considered on November 21, 1978.

City Attorney Taylor addressed the Council stating that in reviewing the minutes of November 21, 1978 he finds that the motion to table the matters for further study did not contain any motion or rejection of the items and for this reason he believes it is in order for Council to consider the below material at this time.

PLANNING COMMISSION RECOMMENDATIONS (Continued)

1. Request for Final Approval for Tract No. 9733 - Robert M. Pratt

Request for final approval for Tract No. 9733 located on the northeast corner of Olive Avenue and San Jacinto Street was received by Council on November 21, 1978. At this time, based on the minutes of November 21, 1978, Councilman Riordan moved for final approval of Tract No. 9733, retroactive to November 21, 1978. This motion was seconded by Councilman Knudsen and approved by four AYE votes with Mr. DeMirjyn voting no.

2. Request for Final Approval for Tract No. 9829 - Phase 2 - Fred Hunter

This request is for final approval of Tract No. 9829, Phase 2, located approximately 630 feet east of Church Street between San Bernardino Avenue and Pennsylvania Avenue; applicant has not paid fees and furnished water stock at this time. On motion of Councilman Riordan, seconded by Councilman DeMirjyn, Council unanimously moved to withhold final approval of Tract No. 9829 until the owners have satisfied all requirements of the City. It was pointed out that this tract will automatically be under Proposition R.

3. Request for Final Approval for Tract No. 9868 - Phase I and II - Sy Bram

The request for final approval of Tract No. 9868 located between Lincoln and Dearborn Streets, 670 feet north of East Citrus Avenue, was discussed at this time. City Treasurer Tom O'Donnell brought to Council attention the fact that the owners had originally complied with all financial requirements of the City; however, following the Council meeting of November 21, 1978, the checks originally submitted were stopped for payment, and at this time are not acceptable for the requirements. A gentleman from the audience representing Kingswood Development stated that confusion over the action of November 21st caused the owners to stop payment on the checks. He agreed to furnish cash or certified check to replace these, and stressed that the checks were in good standing on the 21st of November.

A motion of Councilman Riordan, seconded by Councilman Knudsen, to approve this development, retroactive to November 21st, 1978, subject to the furnishing of cash or cashier's check satisfactory to Treasurer O'Donnell, carried with four AYE votes. Councilman DeMirjyn voted No because he believes this development should be subject to the requirements of Proposition R.

Councilman Knudsen reminded the Council that on November 9th the City Manager addressed a letter to each of the Councilmembers stating that it was the staff's decision to notify all properties in a position of near completion of the fact that Proposition R became effective on November 30th. Mr. Knudsen further stated that he did not believe the people who proposed Proposition R or the voters who voted for it desired the City to proceed in any manner except one that is entirely legal. For this reason he did not believe Council should be criticized for this action at this time. He added that no Councilman had registered any comments in response to the City Manager's letter of November 9th.

4. Request for Final Approval of Tract No. 10013 - Niagara Construction Co.

The request for final approval of Tract No. 10013 located on the southwest corner of New York and State Street was considered at this time. On motion of Councilman Riordan, seconded by Councilman Knudsen, final approval was unanimously given to Tract No. 10013 retroactive to November 21, 1978 as this tract meets all City requirements.

5. Request for Final Approval of Conditional Use Permit No. 282 - Niagara Construction Company

The request for final approval of Conditional Use Permit No. 282, in connection with Tract No. 10013, was unanimously given on motion of Councilman Riordan, seconded by Councilman Knudsen, retroactive to November 21, 1978.

6. Request for Final Approval of Conditional Use Permit No. 263 - William Buster, Jr.

The request for final approval for Conditional Use Permit No. 263 located at the northeast corner of Carrie Lane and LaVerne Street was unanimously approved retroactive to September 1, 1978, at which time Mr. Buster completed requirements and paid for his water stock. This motion was seconded by Councilman Knudsen and unanimously adopted.

7. Request for Final Approval of Conditional Use Permit No. 307 - Ray L. Huffman Construction, Inc.

On motion of Councilman Riordan, seconded by Councilman Knudsen, this request for final approval was approved retroactive to November 21, 1978, by four AYE votes with Mr. DeMirjyn voting No because he felt there was flood hazard in the area.

PLANNING COMMISSION RECOMMENDATIONS (Continued)

8.

Request for Final Approval of Conditional Use Permit No. 306 - Mesabi, Inc.

This request for final approval of Conditional Use Permit No. 306 was considered at this time upon the recommendation of City Attorney Taylor. Mr. Taylor stated that the Initiative Ordinance did not specifically include the placing of tentative conditional use permits under Proposition R. At this time, all requirements of the City are complete for C.U.P. No. 306 as outlined in Council minutes dated November 7, 1978, and it is the recommendation of the City Attorney that final approval be given for this conditional use permit.

Councilman Riordan moved for final approval of Conditional Use Permit No. 306 based on the City Attorney's opinion that these items do not fall under Proposition R. The motion was seconded by Councilman Knudsen and approved.

There being no further business, Council adjourned to a personnel session.

Park Commission - Park Director MacKenzie stated that the Park Commission wishes to resubmit the recommendation to the Council that authorization be given for a park study with the \$3,500.00 cost to come from Park Development Funds. Council discussed the proposal at length, considering advantages and disadvantages.

Park Commissioner Oral Baker made a whimsical presentation pointing out that the 1965 and 1974 park studies are now outdated; availability of Federal and State funds may soon end and fresh ideas will be needed; the study as recommended is a very good dollar value and represents over a thousand hours of work; the tax funds from the next seven homes approved will pay for this particular project; and inflation is rapidly eroding the possibility to enlarge and to maintain the present park system. Commission Chairman Gabriel Epstein also spoke briefly.

Councilman Elliott stated that the funds are qualified under the Park Acquisition Fund Ordinance, read a brief statement, and moved for approval of the study. Councilman Riordan seconded, but expressed a desire that the figure of \$3,500.00 not be included in the motion. Councilman Knudsen took exception to the scope of the study and the fact that it did not relate to recreational needs and moved that the motion be amended to include area limitation and recreation needs. Motion seconded by Councilman Riordan.

Mr. Ken Farmer, a student of Cal-Poly, addressed Council explaining the budget for the project and the plans now under consideration. He added that the students have many opportunities to make such a study but had chosen Redlands because they felt it would be a very worthwhile project.

Following Mr. Farmer's presentation, both the amendment to limit the park study within the City limits and the original motion to approve the study were defeated.

Recreation Commission - Councilman Knudsen reported briefly on the Recreation Commission activities. He stated that the Commission accepted Bud Shircliff resignation with regret and were seeking someone to replace him.

Public Works Commission - The Public Works Commission is reviewing water stock requirements.

Historic and Scenic Preservation Commission - This Commission is studying the stone curbing within the City and will have a recommendation to the Public Works Commission. The Commission has also found some conflict within the ordinances concerning the preservation and removal of stone curbing.

Library Board - Mr. William Moore and Mrs. Opal Marquardt were unanimously reappointed to terms on the Library Board on motion of Councilman Knudsen, seconded by Councilman Riordan.

Park
StudyAppoint-
ments

APPLICATIONS AND PETITIONS

Waiver of Bowl Fees On motion of Councilman DeMirjyn, seconded by Councilman Knudsen, unanimous approval was given to the request for waiver of the Redlands Bowl fees for the Boy Scouts of America for their fortieth annual Lincoln Pilgrimage on February 10, 1979, between 9:30 A.M. and noon.

COMMUNICATIONS

Outside-City Water and Sewer Service Councilman Elliott moved, seconded by Councilman DeMirjyn, that effective this date, December 19, 1978, Council declare a 90-day moratorium on further outside-city water and sewer connections in order that during this time, the City Attorney may study and prepare a legal opinion on the City's legal responsibilities to limit the outside-city water and sewer connections to 150 connections as designated in Proposition R, when, in fact, the City's sewer plant is designated a regional plant. Mr. Elliott also questioned the qualifying procedure for choosing the recipients of the outside-city connections. Mr. Elliott's motion was unanimously approved by the City Council.

NEW BUSINESS

Ordinance No. 1672 Street Repair Ordinance No. 1672, an ordinance of the City of Redlands amending the City Ordinance Code relating to construction-connected street work or damage and giving authority to withhold building inspections until street is repaired, was introduced and laid over under the rules with second reading set for January 2, 1979.

Ordinance No. 1673 Flood Damage Prevention Ordinance No. 1673, an ordinance of the City of Redlands establishing procedures for prevention or reduction of flood hazards in connection with the City's eligibility for National Flood Insurance, was also given first reading of the title and laid over under the rules with second reading set for January 2, 1979.

Resolution No. 3551 Personnel On motion of Councilman Elliott, seconded by Councilman DeMirjyn, Resolution No. 3551, a resolution of the City Council authorizing the City Manager to have access to State and Local Summary Criminal History Information, was unanimously adopted.

Resolution No. 3552 Fire Protection On motion of Councilman DeMirjyn, seconded by Councilman Knudsen, Resolution No. 3552, a resolution of the City Council authorizing execution of a Mutual Assistance Agreement for fire protection with the City of Loma Linda, was unanimously adopted.

CITY MANAGER

Public Works Consultant Agreement The Consultant Agreement between Marvin Johnston and the City under which Mr. Johnston provides inspection service for the City on Public Works related projects will expire on January 17, 1979. The Department asks that Council authorize extension of this contract for an additional six months. On motion of Councilman Knudsen, seconded by Councilman DeMirjyn, the contract agreement between Mr. Johnston and the City was approved for six months from January 17, 1979.

Traffic Signal Controllers On motion of Councilman Knudsen, seconded by Councilman DeMirjyn, unanimous approval was given to a request for authorization for the Department of Public Works to enter into an agreement with Signal Maintenance, Inc. to provide the needed controllers and installations necessary for the intersections of Redlands Boulevard with Palm, Cypress, and Citrus Avenues at a total cost of \$29,785.62. The Company that originally provided the controllers for these intersections is out of business and parts are not available. This approval was given with waiver of going to bid unanimously by the City Council.

CITY MANAGER (Continued)

Declaration of Dedication	A Declaration of Dedication to the City from Joseph and Ellen Khoury for street right-of-way purposes in connection with a building permit was unani- mously approved on motion of Councilman DeMirjyn, seconded by Councilman Riordan.
Water B Contract	Transfer of Water B Contract in the names of Lloyd A. Days, Everett Wester- velt Trust and Byron B. Swaner was unanimously approved on motion of Council- man DeMirjyn, seconded by Councilman Riordan.
Block Grant Program	Following discussion, on motion of Councilman DeMirjyn, seconded by Council- man Knudsen, the 1979-82 Community Development Block Grant Program was unani- mously approved as submitted at this meeting. This approved CDBG applica- tion was revised by the CPAC meeting on December 13, 1978. City Manager Christiansen stated that he had a signed letter from School Superintendent Boysen stating that if the City should be unable to maintain the Clement Recreation Complex, the School Board would take over the responsibility for the maintenance.
Appointment	On motion of Councilman Knudsen, seconded by Councilman DeMirjyn, John Donnelly was appointed as Acting Director of Public Works effective January 15, 1979.

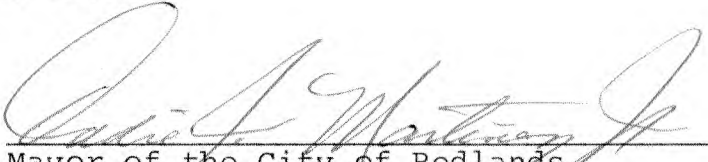
Bills and salaries were authorized paid by the Finance Committee.

Before adjournment, Mayor Martinez wished all a merry Christmas and happy
new year.

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

Next regular meeting, January 2, 1979.

ATTEST:



Mayor of the City of Redlands



City Clerk

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