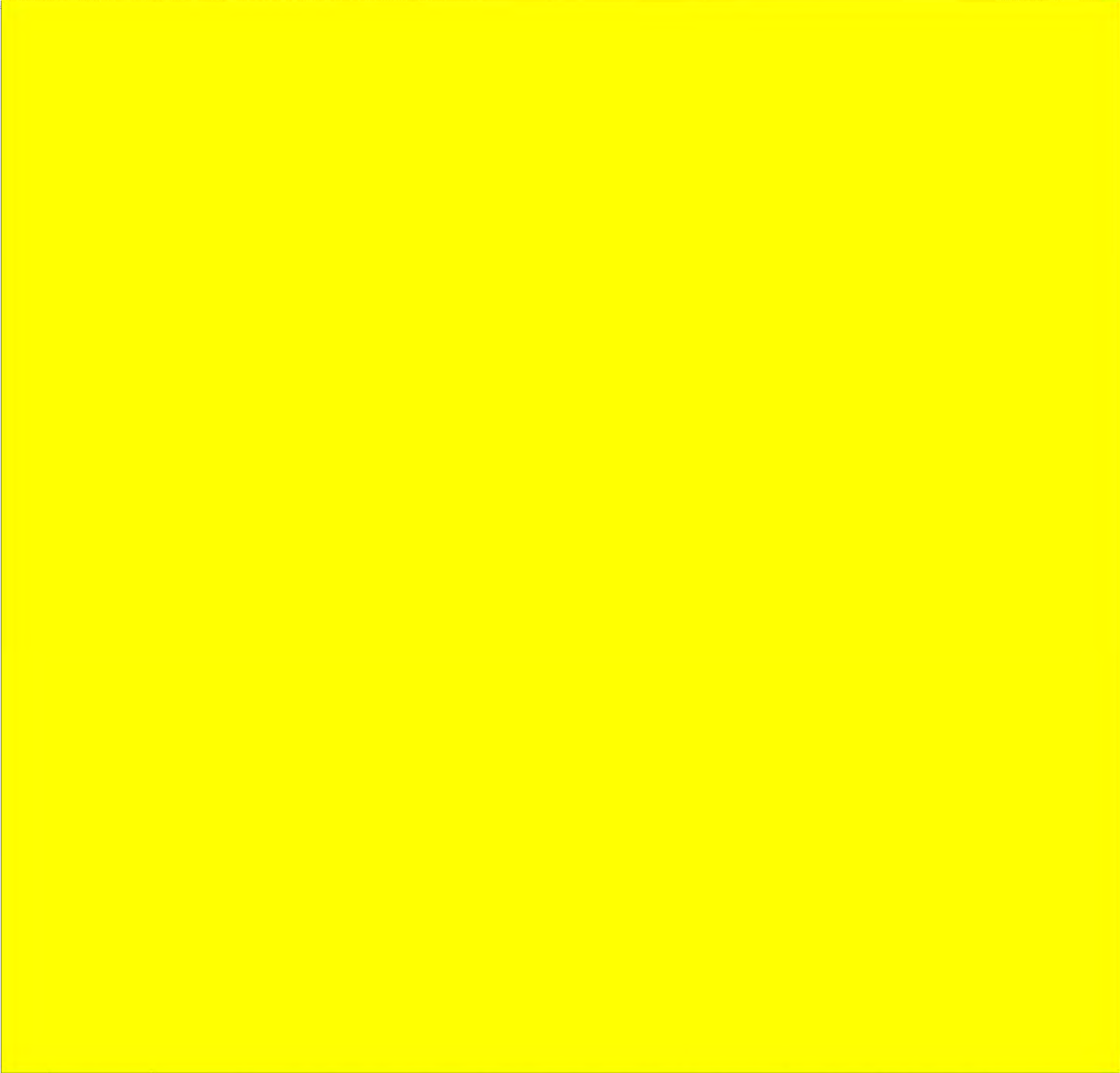




MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on January 2, 1979, at 7:00 P.M. (Also 3:00 P.M.) (No Planning Commission Agenda)

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
- Mike Murphy, San Bernardino Sun

ABSENT

None

The meeting was opened with the pledge of allegiance, followed by a special New Year invocation by Reverend John Inglis of the First Presbyterian Church.

The minutes of the regular meeting of December 19, 1978, were approved as submitted.

BIDS	OMNITRANS was requested to advertise for and evaluate bids for a Dial-A-Ride service for the City of Redlands. Bids were received from two organizations as follows:		
Dial-A-Ride Award	Yellow Checker Leasing, Inc.		
	\$13.61 per service hour		
	start-up and training cost	\$ 4,133.00	
	Total cost (includes training)	64,379.00	
	Holy Deliverance Church of God in Christ		
	\$12.47 per service hour		
	start-up and training costs	\$ 3,637.00	
	Total cost (includes training)	58,860.00	
	Councilman Elliott stated that these bids have been reviewed by the technical committee, the background of the organization has been checked, and he moved for award to the Holy Deliverance Church of God in Christ. This motion was seconded by Councilman Riordan. Councilman DeMirjyn stated he was satisfied with information furnished on the radio experience, the non-profit status, and the maintenance service of the Holy Deliverance Church and was now ready to vote. Award was unanimously made to the Holy Deliverance Church of God in Christ.		
	COMMISSION RECOMMENDATIONS		
Present:	The City Council convened at their usual Planning meeting time on January 2, 1979, at 3:00 P.M.		
	Councilmembers Knudsen, DeMirjyn, Elliott, Riordan; Mayor Martinez; Attorney Bruce Atkins, City Clerk Moseley, Press Representatives Erwin S. Hein, and Mike Murphy		
	Absent: None		
Waiver Request Lighting	As there was no Planning Commission meeting on December 26, there were no recommendations brought forward to the Council from the Planning Commission. City Manager Christiansen scheduled three items for Council consideration at this time, prepared and circulated an agenda.		
	1.	<u>Request Waiver of Ordinance Requirement for Street Light - Robert D. Wells</u>	
	Mr. Wells addressed Council repeating that this was unjust taxation as one street light is already in existence; protested the requirement for a \$100.00 payment for Advisory Committee review; and stated that he was "over-building" for the area.		
	Public Works Department representative John Donnelly explained that this installation was a requirement under Ordinance No. 1447; that this was an intersection; that there is an Edison light existing at the corner; that it is the City's policy to replace Edison lights when possible as they are doubly costly and Edison may remove the pole at any time. Councilman Knudsen described many similar situations in which even single residential homes have been required to furnish street lights. Councilman DeMirjyn moved for denial of the request; referred to the findings of the Advisory Committee; stated that this is a collector street and a corner; and that the electricity saved is a savings for everyone. Councilman Elliott seconded this motion which passed unanimously.		
	Councilman Knudsen moved that Mr. Wells be refunded his \$100.00 filing fee for the Advisory Committee review. Councilman DeMirjyn seconded the motion which also passed unanimously.		
	2.	<u>Permission to Locate Semi-Permanently Installed Trailer on University of Redlands Campus - South Coast Air Quality Management District</u>	
	Semi-Permanent Trailer	City Manager Christiansen presented an Air Quality Management request for permission to locate an 8 x 20 foot semi-permanent trailer on the University of Redlands Campus. A location has been agreed upon with the University and there are no objections by the City staff. As Council permission is required for installations of this type structure, Councilman DeMirjyn moved for approval as this is not a dwelling unit. The motion was seconded by Councilman Knudsen and carried unanimously.	
	3.	<u>Land Use Ordinance Violation - Chain Link Fence - 1055 Calle de las Palmas</u>	
	Land Use Ordinance Violation	City Manager Christiansen presented his agenda Item No. 3, a land use ordinance violation. Mr. Christiansen stated that the Planning Commission had denied this use on March 28, 1978, and the City Council had upheld the Commission action on April 13, 1978; and requested that the Council direct the City Attorney to abate this violation. Director of Building and Safety	

COMMISSION RECOMMENDATIONS (Continued)

Land
Use
Ordinance
Violation

Robert Dale stated that the fence exceeded the six-foot allowable height and appeared to be ten-foot fencing on top of a two-foot base - for a total of twelve feet.

Mr. William Sack of 1055 Calle de las Palmas addressed Council and read a prepared statement which referred to a communication from the City on December 15, 1978. Mr. Sack stated he would file a copy of his statement at a later date with the City Clerk so that copies could be given Councilmembers. He reviewed the Planning Commission action of March 28, 1978 which denied his request for permission to construct a twelve to fifteen foot high fence to enclose a tennis court at his home. He spoke of other fences in the neighborhood. Mrs. Shirley Sack filed an appeal to this decision of the Planning Commission on April 3, 1978; this was heard on April 18, 1978. At this hearing of April 18, 1978, neighbors of adjacent properties expressed concerns about visual effect, the aesthetic impact on their properties, and possible property depreciation caused by this construction.

Director of Building and Safety Dale stated that the fence exceeds the requirement by City Ordinance of a six-foot high limit, and that the fence is probably ten to twelve feet high. Mr. Dale added that he had attempted to retain a neutral attitude in this problem; he did not seek out Mr. Sack or any of the neighbors. Mr. Dale expressed concern that other residents in the area of this problem had not been notified or were not aware of this meeting today.

Planning Director Schindler explained that the fence, not the tennis court, is what is in conflict with the ordinance, and added that there would have been no basis on which to grant a variance to the ordinance in this instance. He pointed out that the Planning Commission finding that the tennis court should not adversely effect the adjacent property owners and this they were unable to do. He added further that a nearby owner excavated a six-foot pit in which to locate his tennis court in order not to exceed the ordinance.

Councilman Riordan mentioned that a court on a larger lot, not on the property line, and having a greater set back is perhaps more acceptable to the neighbors.

Conrad Hamako of 1022 Calle de Acacia, directly behind the Sack property, stated that his home is essentially level with that of the Sacks; that he had appeared at the time of the hearing and protested the elevation of the court; that he had since sold his house before the fence was installed and now the buyer has refused to take possession of the Hamako house and give the tennis court fence as the reason. Other neighbors in the immediate area took exception to the aesthetic pollution of the fence. Mrs. Mary Allen of 1516 Edgehill Lane reviewed the developments of the fence, having attended Commission and Council meetings, and expressed concern for property devaluation from it.

Land
Use
Ordinance
Violation

Mrs. Sacks addressed Council, showed pictures, and described the view from her terrace and added that she will not take down her fence. Mr. Sack reiterated that he did not believe the Council should vote on the matter without taking a look. Several Councilmen replied that they had viewed the property.

Councilman Elliott then stated that forgetting the view and aesthetics entirely, the fact remains the Commission denied the approval in April and the Council upheld the Commission and that the fence has been installed in direct violation to the Council and the Commission. Councilman Elliott then read from Section 55.00 of the Zoning Ordinance No. 1000 and moved that the City Attorney be directed to take immediate action under this section of the ordinance. Councilman Riordan seconded the motion and stated that she would like the wording to state "file and injunction" in the motion.

Attorney Bruce Atkins agreed that this is the method which would be followed. This motion was carried by the following roll call vote:

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

Council briefly discussed other ordinances within the Community which people say are being violated. Councilman Riordan replied that if there are violations, then these violations should be brought up and dealt with, as in the past, and that this is the one which is being dealt with now.

City Manager Christiansen stated that the ordinance is specific and in this case the neighbors did object. He stated that the ordinance does provide the Council with a degree of latitude.

Mr. Hamako stated that he believed the City was in fault for not having prevented this sooner.

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

COMMISSION RECOMMENDATIONS (Continued)

Resolution No. 3553 Parking for Handicapped	<u>Traffic Commission</u> - Councilman Elliott presented two items from the Traffic Commission. The first item was Resolution No. 3553, a resolution of the City Council establishing parking spaces for the exclusive use of physically handicapped persons as authorized in the California Vehicle Code Sections 22511.7 and 22511.8 and Chapter 67 of the Redlands Ordinance Code. This resolution controls on-street and off-street parking for disabled and handicapped persons. This authorizes the use of blue curbs and of blue markings and the spaces are designated as restricted. Unauthorized vehicles not displaying the distinguishing placards or license plates issued for the physically handicapped persons are to be towed away at the vehicle owner's expense. Resolution No. 3553 was unanimously adopted on motion of Councilman Elliott, seconded by Councilman Knudsen.
Ordinance No. 1675 Parking For Handicapped	Ordinance No. 1675, an ordinance of the City of Redlands amending Chapter 67 of the Ordinance Code to include curb marking designation of blue for the exclusive use of the physically handicapped persons as authorized by the State of California Vehicle Code, was given first reading of the title and laid over under the rules with second reading set for January 16, 1979.
Appointments	<u>Historic and Scenic Preservation Commission</u> - Councilman Elliott stated that there are four vacancies at present on the Historic and Scenic Preservation Commission and recommended the following four persons for appointment to the Commission: Karen Campbell, Janet Landfried, Meryl McDowell, and Glen Noyes. On motion of Councilman Elliott, seconded by Councilman Knudsen, these four people were unanimously appointed to serve on the Commission. Mayor Martinez asked those present to stand and be recognized and thanked them for their willingness to serve.

APPLICATIONS AND PETITIONS

Appeal to Negative Declaration Amendment No. 137 To Zoning	On December 6, 1978, Mr. Walter E. Baumgartner of 302 East Sunset Drive North filed an appeal from the decision of the Environmental Review Committee of the City of Redlands. The time for consideration of this appeal was set for January 2, 1979, at 7:00 P.M. City Manager Christiansen summarized the position of the staff in regard to this matter and stated that there are three actions available to the Council: (1) to deny the appeal and support the negative declaration; (2) to require an Environmental Impact Report for Ordinance Amendment No. 137; and (3) continue the matter for further study. He added that the City Council cannot approve or deny the project at this time as it was not before the City Council for approval or denial, but only to consider the appeal which has been filed concerning the negative declaration. Planning Director Schindler stated that the Amendment No. 137 was processed correctly as outlined in Section 51.10 of Ordinance No. 1000 which states the Planning Commission, Planning Department, or City Council may initiate an ordinance amendment and which further defines procedures for doing so. He added that a fee schedule had been established by the City Council for this procedure. Mr. Baumgartner presented a comprehensive letter relating his position and opinion of this matter. This is on file in the office of the City Clerk. Following his presentation, citizens addressed Council bringing various details to the Council's attention. Mr. William J. Campbell of 326 Felicia Court who expressed concern for the alteration of the landscape, soil removal, actual support of the hills, the drainage changes, the aesthetic impact of an expanse of rooftops, blacktop, car noise, and concern for
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APPLICATIONS AND PETITIONS (Continued)

Appeal to
Negative
Declaration

Amendment
No. 137
To Zoning

access road. Mrs. Virginia Westervelt of 1050 Bermuda Drive stressed this increase in traffic, impact on the sources of energy, and the aesthetic impact. Mrs. F. Atkinson of 400 Beverly Drive expressed concern that a commercial corridor 660 feet wide might be established along the six miles of freeway within the City. She closed with a plea to Council to protect the beauty and the quality of life in Redlands. Mr. Norman Munson of 1659 Country Club Drive stressed the impact on air quality, noise, and traffic increase and recommended the cumulative effect be re-evaluated. Mr. John Moore, developer, spoke briefly regarding this amendment, stating that he felt it was the best procedure to control developement and added that he had invited any concerned citizen to visit his office for explanation of the Plan. Mr. Moore pointed out that the General Plan had had a "Freeway Related" symbol at the Ford Street - Redlands Boulevard intersection for many years.

In reply to Councilman Riordan's question, City Attorney Taylor stated that he believed the amendment has been properly filed and handled. Following these presentations, Council discussed the matter at length. City Attorney Taylor explained that Council could request an Environmental Impact Report instead of the negative declaration; the City would be the lead agency; would go to bid for such study and choose one which answered the Council's questions, with the developer paying the cost. Mr. Taylor added that if the developer chose not to provide an Environmental Impact Report, there were alternative ways in which he could proceed. Mr. Schindler explained the feeling of the Environmental Review Committee that this amendment did not change anything; that the change would come at a later time when a development was given tentative approval. He reviewed the developments of 1963 and 1965 regarding the conditional use permit procedures under which Griswold's area and the Sixth Street Freeway exit businesses were developed and are now controlled. Councilman DeMirjyn then moved in favor of the appellants. Councilman Knudsen seconded the motion; Councilman Riordan questioned the motion. Mr. DeMirjyn's motion carried by AYE votes of Councilmembers Knudsen, DeMirjyn, Elliott; Mayor Martinez with Councilman Riordan voting no.

Business
License
Waiver

The request for waiver of business license by the San Andreas Council of Campfire Youth for their annual sale beginning January 24 and ending February 18, 1979 was unanimously given on motion of Councilman DeMirjyn, seconded by Councilman Knudsen.

COMMUNICATIONS

Commendation

Mayor Martinez stated that he had had many favorable comments and congratulations on the immediate responses by the Fire Department in connection with home fires recently and expressed his appreciation to Chief Wilcox.

UNFINISHED BUSINESS

Ordinance
No. 1672

Street
Work

Ordinance No. 1672, an ordinance of the City Council regarding controls of street work or damage associated with building construction, was given second reading of the title and adopted with waiver of the reading of the ordinance in full on motion of Councilman DeMirjyn, seconded by Councilman Knudsen, by the following roll call vote:

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

UNFINISHED BUSINESS (Continued)

Ordinance No. 1673
Flood Damage Protection

Ordinance No. 1673, an ordinance of the City of Redlands establishing procedures for the prevention and reduction of flood hazards in the City of Redlands, was given second reading of the title and adopted with waiver of the reading of the ordinance in full on motion of Councilman Elliott, seconded by Councilman Riordan, by the following roll call vote:

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

Ordinance No. 1674
Temporary Open House Signs

Ordinance No. 1674, an ordinance of the City Council regulating signs and advertising structures in the City of Redlands, was set for second reading at this time. Councilman DeMirjyn moved that the ordinance be rejected. Councilman Knudsen seconded the motion. In the discussion following, Councilman Riordan expressed the opinion that it would be necessary to have some way to control the proliferation of forty-foot high signs in one area. Council discussed this. Planning Director Schindler pointed out that also within the ordinance were controls for temporary signs which the City direly needed. The ordinance as written was rejected by AYE votes of all present.

Ordinance No. 1674 was reworeded by Council and the City Attorney and given first reading of the title with second reading set for January 16, 1979.

Employment Agreement

Councilman Knudsen stated that at the Personnel Session this afternoon, the employment agreement with the City Manager, which has been in Council hands for a month, was discussed, found satisfactory to all, and he now moved for adoption of the agreement. This motion was seconded by Councilman Elliott and unanimously adopted. Councilman DeMirjyn stated that the agreement complies with Chapter 13 of the Redlands Ordinance Code which related to the City Manager position.

NEW BUSINESS

Televents Rates

Televent's request for a \$0.50 per month increase on basic service charge was unanimously approved on motion of Councilman Elliott, seconded by Councilman Riordan.

Appointments
Proposition "R" Committee

City Manager Christiansen stated that the Proposition "R" Implementation Committee to establish guidelines under Proposition R had been chosen by the City Council at this afternoon's Personnel Session, and read the list of names as follows: William C. Buster, Jr., Dr. Kenneth R. Roth, James Coffin, Carlos Guzman, Sr., Margaret Molla, John Munn, and Larry Wormser. He stated that the committee would work on a timetable with a report to the Planning Commission in February. Council concurred with this action.

CITY MANAGER

Tract No. 9776
Drainage Waiver

On motion of Councilman Riordan, seconded by Councilman Knudsen, unanimous approval was given a request of the Public Works Department for waiver o f "reinforced concrete pipe" requirements under Ordinance No. 1625 for the storm drain work required for Tract No. 9776. "Cast in place concrete" will be used as a substitute.

Airport License Agreement

Public Works Department recommends that Council authorize the Mayor to execute a license agreement with Skyways Charter to occupy 371 square feet of lobby area in the Redlands Municipal Airport and to conduct certain business. The former license holder was Redlands Flight Service. On motion of Councilman DeMirjyn, seconded by Councilman Knudsen, this approval was unanimously given.

CITY MANAGER (Continued)

Funds
Police
Department

On motion of Councilman Elliott, seconded by Councilman Knudsen, unanimous approval was given for an additional appropriation in the amount of \$1,351.92 to purchase a fingerprint comparator and inkless fingerprint kit for the Police Department.

Outside
City
Water
Service

Following brief Council discussion, on motion of Councilman DeMirjyn, seconded by Councilman Riordan, outside the City water service for a proposed twelve-unit apartment building on Crafton Avenue, south of Mentone Boulevard, was approved. This application was received by the City on November 15 but inadvertently was not processed at that time. The motion was approved by the following roll call vote:

AYES: Councilmembers Knudsen, DeMirjyn, Riordan; Mayor Martinez
NOES: Councilmember Elliott, for the reason he believed Proposition "R" should control this even though the City was at fault.
ABSENT: None

Grant Deed
Easements

On motion of Councilman Knudsen, seconded by Councilman DeMirjyn, the Mayor and City Clerk were unanimously authorized to execute a necessary Grant Deed and Easements to the San Bernardino Valley Municipal Water District to provide right-of-way for construction of pipelines to convey either Santa Ana River or State Project Water to Redlands.

Grant Deed

On motion of Councilman DeMirjyn, seconded by Councilman Elliott, the City accepted a Grant Deed for Lot A of Tract No. 9439 from Mr. and Mrs. Jim Hicks. Lot A is approximately 0.02 acres adjoining the Smiley Heights Reservoir site.

Grant Deed

On motion of Councilman DeMirjyn, seconded by Councilman Elliott, the City unanimously accepted two Grant Deeds from Eldorado Properties for a seven-foot wide easement adjacent to proposed sidewalks within Tract Nos. 9959 and 10360. These easements are for the purpose of landscaping and are needed in order that the existing "B" contract pipeline may be relocated within the parkway areas.

CITY ATTORNEY

Interim
Ordinance
No. 5

Outside-City
Water
and
Sewer

Interim Ordinance No. 5, an ordinance of the City Council temporarily prohibiting the issuance of permits for outside the City sewer and water connections and declaring this to be an emergency ordinance, was adopted on motion of Councilman Riordan, seconded by Councilman Knudsen, with waiver of reading the ordinance in full, by the following roll call vote:
AYES: Councilmembers Knudsen, DeMirjyn, Elliott, Riordan; Mayor Martinez
NOES: None
ABSENT: None

Bills and salaries were ordered paid as approved by the Finance Committee. There being no further business, the Council adjourned, on motion, at 8:35 P.M.

Next regular meeting, January 16, 1979.

ATTEST:

Geggy A. Mosley
City Clerk

David F. Martinez
Mayor of the City of Redlands