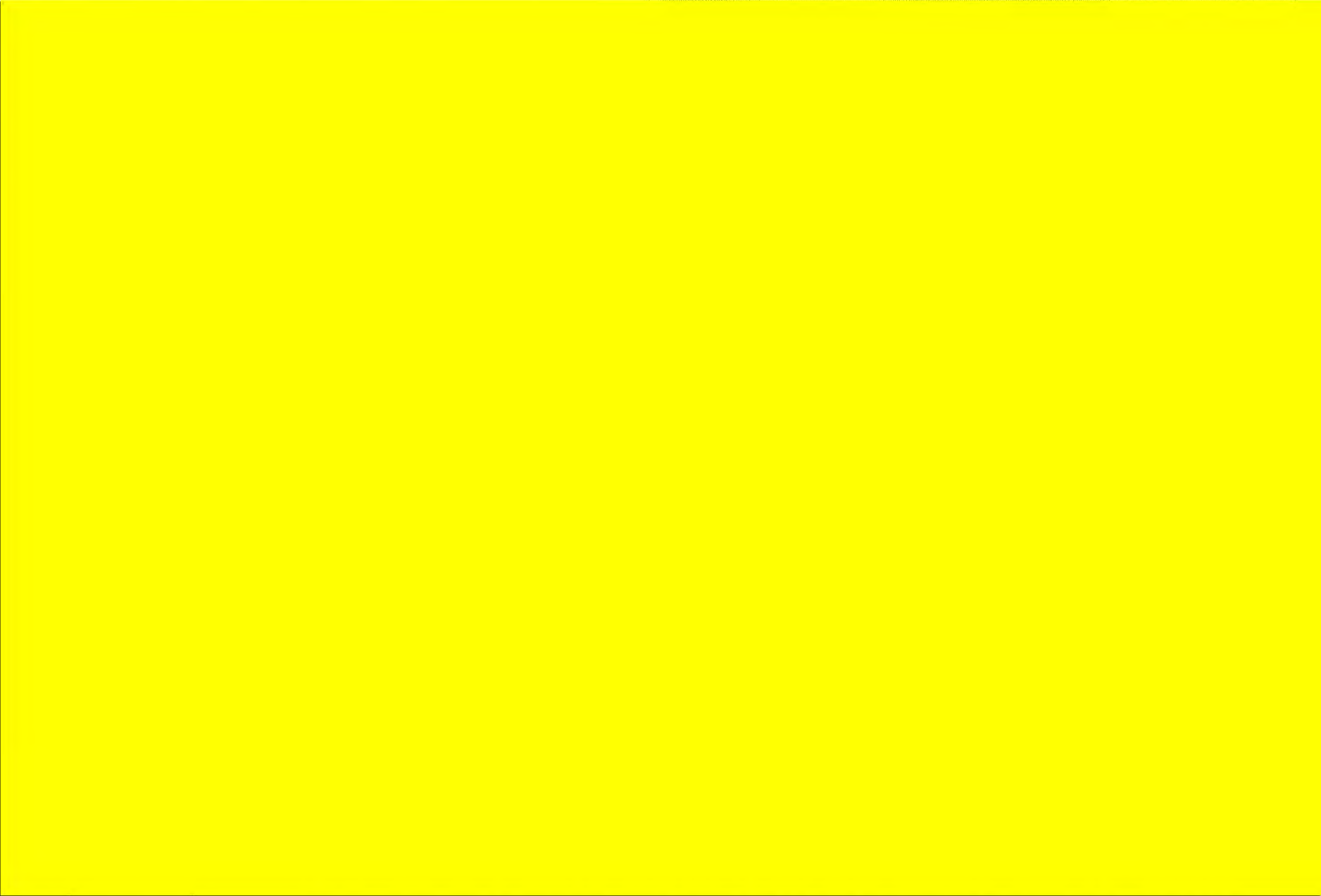


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MINUTES

of an adjourned regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on October 26, 1979, at 3:00 P.M.

PRESENT

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

Chris C. Christiansen, City Manager
Bruce C. Atkins, Deputy City Attorney
Peggy A. Moseley, City Clerk
Erwin S. Hein, Redlands Daily Facts
Martha Datema Lipscomb, The Sun

ABSENT

None

The City Council meeting of October 16, 1979, was adjourned to this time and place.

Mayor Martinez stated that before taking up the matter of allocation of building permits as directed under Ordinance No. 1680, which implements Proposition "R," he would limit public participation to very brief statements with no repetitions.

Mayor Martinez then stated that the attendance areas of Franklin and Lugonia Schools are presently impacted, and he would entertain a motion to eliminate from the allocation applications before Council Numbers 1, 33, 26, 3, 18, 21, and 15 which lie in these districts.

Vice Mayor Knudsen then spoke of the comparative analysis of school enrollment as prepared by Judy Jorgensen of the Planning Department from figures supplied by the School District. Included were enrollments from 1964 through 1978, with the 1979 enrollment dated October 5, 1979 in 19 schools of the Redlands Unified School District. He explained that Table V was projected from existing numbers of students presently

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residing in similarly zoned tracts or areas. This table lists anticipated student increase projected for 1980, 1981 and 1982 as 2,708 from developments not subject to Proposition "R," which are currently under construction; which have final Council approval; have building permits that have not expired; or have not started construction. This formula applied to the Franklin School district, with addition of 68 children for this year's allotment of 450 dwelling units, brings this school's total enrollment in 1982 to 944 students. He added that by using this projection in each elementary school, by 1982 there would be insufficient capacity to handle the student population even with bussing.

Mr. Knudsen affirmed that using the figures the schools are providing, there is indeed a problem and he believes the Council should address the problem and not make any allocations at this time, but instead work out a solution. He mentioned a bill before the legislature and efforts being made by the County Board of Supervisors.

Mr. Knudsen added that he did not believe it fair to expect the Council to work out the figures of what is maximum capacity or what is overcrowded capacity, but rather the City Council should take the School District's word, the P.T.A.'s, and the various groups that so state. He recommended that the City assist in whatever way it could, by ordinances, by a moratorium on building, or by allocations. He then moved to make no allocations until a solution is found; to urge the School Board to work to immediately resolve the problem, and to seek assistance from the State Legislature and the County Board of Supervisors.

Councilman DeMirjyn requested that Mr. Knudsen leave out of his motion Application B, the adult mobile home project, because this project would have no bearing on impaction of the schools in any way.

In answer to Mr. Knudsen's question, Planning Director Schindler stated that the property development standards are different from an adult park than for a family park.

Mr. Knudsen stated that he would omit this application from the motion as long as it is an adult park that does not generate students. Mr. DeMirjyn replied: "With that, I will second the motion."

To Mr. Elliott's questions about a time limit, Mr. Knudsen agreed that there should be one. CityManager Christiansen reminded Council that the 1980 allocation must be submitted to the City by January 15 and reviewed by the Council by May 15. Mr. Schindler added that the "R" initiative allows 450 units per year. The Councilmembers then discussed possible developments at length informally. Mr. Knudsen then stated: "For the motion before us, let's set the date for January 15, 1980."

Mrs. Riordan then spoke of the housing report and the 1970 census, stating that in 1970 there were 12,342 housing units in Redlands and that 5,663 building permits have been issued since; that in 1970 there were 12,280 students total enrollment in the district, and that October 5 reports a total of 10,280 students districtwide, pointing out the decline in enrollment at the same time there is an increase in housing. She suggested that there was a negative factor, perhaps in the existing homes, and mentioned the precise 2,000 student decline since 1970. She added that she agreed with the Mayor's premise that Franklin and Lugonia areas have a problem and she would go along with not issuing those allocations today.

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Mr. Knudsen again explained how the student ratio was determined in the various zones, and explained that there is a built-in correction factor, adding that Council now has the latest figures.

Mayor Martinez asked the Attorney if he found anything illegal about this motion. Attorney Atkins replied, "No, I believe Section 4 of Ordinance No. 1680 gives the Council power to accept the finding of the situation of impaction."

Asked to repeat the motion, City Clerk Moseley read: "I move to make no allocation today, to let the Unified School Board get to work and find a solution to the problem, to ask the County Board of Supervisors and the members of the Legislature; that we make no allocation until we find an answer." Mr. DeMirjyn added, "We do not include the adult mobile home project."

Requesting allocations today: Mr. Robert Wagner, Post Office Box 43, Redlands, who stated that the people who have proposed developments have waited patiently and have gone through the process, were told they would have the allocations a month ago, have an investment in the community, have employees working in this community, and a delay is costing money. He further stated that school boundaries are adjusted every year, added that this is an injustice to people who make their livelihood from the building industry within the community.

Mr. Bob Nastase of Kroll Industries, 521 Mountain Avenue, Upland, questioned the statistics and apportioning; stated that he felt the School District is blackmailing the Council and holding up development by improper apportioning; referred to the 2,000 less students than in 1970; added that there was never a moratorium in 1970; and reminded Council that the study committee did not find a condition of impaction.

Mr. DeMirjyn brought the information that the City of San Diego conducted a study which found that to satisfy the educational needs of the community, a fee of \$5,100 per household should be charged. He added that if these few months are going to make a difference where the State is going to come up with the money, Council cannot put this burden on the 40,000 people "we represent." He reminded Council that it is their responsibility to furnish adequate police and fire protection, and that the more houses there are, the more money must be spent for protection. This, he said is deeper than impaction and reminded Council that he has been speaking of the impaction for the schools on the northside for the last year and one-half.

Mr. John Moore of Parkwest Development explained that with all the other requirements necessary for approval, even if these allocations were awarded today, not one could be processed within the next six months, and added: "You have basically stopped construction in Redlands for probably a year, maybe one and one-half, or possibly two years; I would like you to consider this."

Jim Hicks, Hicks and Hartwick, expressed concern that several of his firms' tracts which already have tentative approval with expiration dates arriving will expire before there is a chance to record them, unless we bring them back before the whole process again.

Mr. Knudsen stated: "We should extend them, that would only be fair."

Mr. Taras Kozbur with KKK stated that a blanket abandonment of production of housing is not the answer to the overall problem of the City and not

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the answer to the overall problem of the City and not in the spirit of Proposition "R"; that the mandate was not to stop construction but to plan for orderly construction; and urged that his small subdivision within walking distance of Smiley School be permitted to proceed.

Mr. Norman Langley, 222 East Olive Avenue, Redlands, civil engineer, commented that he believed every application is a special case; that the applicants had a verbal agreement with the City starting with the implementation of Proposition "R," through the extensions that have been taken by the City for various reasons; and that we have come to this meeting today for execution of the verbal contracts that we made through the revisions and recommendations of the Planning Commission.

Kelly Hamilton, 8725 Colima Road, Whittier, has been building in Redlands for two and one-half years. He declared that the school program was discussed a year ago; that if he could see an answer to the school problem by postponing until May, he would be for it, but that would only be postponing the problem. He stated that he has agreed to pay a \$1,500 per unit fee for the school program; added that he has a large investment in Redlands; and urged Council to address the solution today.

In answer to Mrs. Riordan's question, he replied that he had signed a slip with the school district stating that he would pay one-thousand-whatever-it-was per unit, and then the Schools "pulled out of the deal." He repeated that today he finds that we are no further than we were in September and does not feel that it is fair. He urged Council, in the next thirty days, to work out a program that would be right and equal for all.

Councilman Riordan stated that she feels the developers should be offered an alternative and that the School Board has specified a fee and sent it to Council in a resolution.

Mr. Doug Goodwin of Associated Engineers pointed out the pattern of resolving a school crowding problem, then being faced with an insufficiency of police, fire and disposal facilities; adding that it is human nature to respond to only those things that are problems right now.

Speaking in favor of the motion were: Mr. Jim Meeth of 455 South Eureka Street who stated that throughout the meeting, the Council has been talking about school and matters "that should properly be before another legislative body." He urged that one reason that this motion would serve the purpose is to try to get communication going on a one-to-one basis as two equals, between those two legislative bodies in resolving one of the two things not being addressed here this afternoon - whether or not the City Council or the School Board has the final say in what impaction is. If there is a disagreement on this impaction issue, then a meeting on a one-to-one basis between those individuals is a first step that is needed to resolve the problem. He added that to go ahead with allocations and then become enmeshed in complications would "create more problems for both bodies than anybody in the City really wants."

Mrs. Phyllis Williams, 31416 Highview Drive, a Redlands School Board member, urged getting the Council and the School Board together for a meeting to understand each other better and work things out. She stated that they are impacted and overcrowded.

In response to Mr. Elliott's question, Mr. Wagner explained that his lot-subdivision will be graded, compacted, and sold as individual lots. Mr.

Vote

Elliott then requested that Council consider excluding this subdivision in addition to the adult mobile park.

Councilman Knudsen replied that the controlled adult park would not generate school children, but that there would be no such control on individuals lot sales and restated his 1982 maximum student figures.

The question was called for and the vote was as follows:

AYES: Councilmembers DeMirjyn and Elliott; Vice Mayor Knudsen
NOES: Councilmember Riordan
ABSTAIN: Mayor Martinez

Before casting his vote, Councilman Elliott said that his vote was going to decide this; that a hung vote is not the answer; that he does not favor the motion as far as the entire allocation is concerned, but the reason that he votes "yes" is because it is a motion to delay until January 15, 1980. He believes Council will be in the same position on January 15, and they are actually delaying a building moratorium within the City of Redlands which will occur on or about January 15. He stated: "I will cast a 'yes' vote in favor of the motion because it does carry it to January 15, 1980.

Councilman Riordan then requested that Council address the dollar fee approved by the Board of Trustees to mitigate this impaction in order to give the developers an alternative option. She moved as follows, "I would like to make a motion that our staff and ourselves study this and make this option hopefully available to those interested in building before the date of January first, because we have to fall into another allocation year, and I think this allocation has to be made prior to January first, and I think that option should be made available to them."

The Mayor stated that he would second the motion if "you would add in your motion, that we, as Mr. Hamilton has suggested, within the next thirty days, with the School Board, come up with solutions not only to the amount of the allocation, but other factors that have been mentioned this afternoon."

Mrs. Riordan replied that she was not sure that she understood, but would by November 30 be all right if it is possible? She included that in her motion.

Councilman DeMirjyn stated tha he did not believe this had been tested in court. Mrs. Riordan replied there is a case in Shasta County that I think is going to resolve this.

With the approval of her second, Mrs. Riordan retracted her motion and "move that Council ask our staff, specifically the City Attorney's office, to study the proposition of allowing the builders to pay a fee to the School District in order to be able to develop during the allocation year of 1979, and to report back to Council at the next regular meeting, November 6."

In answer to Mr. Elliott's question about time, Attorney Atkins replied that they will do the best they can. Mayor Martinez seconded the motion. Before calling for the questions, Vice Mayor Knudsen stated that this would creat horrendous inequities in the event that State funds or funds which Assemblyman Leonard has suggested using from tidelands oil should be available.

Mrs. Riordan restated her point of view, then added that she would not take this option, but some developers might prefer it to waiting until May or November.

Vote

Before voting, Mr. Elliott commented that he was not worried about the inequities for he believed this was not a legal procedure.

The motion to study the legality of a fee carried by the following vote:

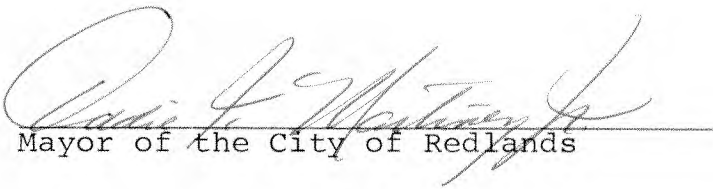
AYES: Councilmembers Elliott and Riordan; Mayor Martines
NOES: Councilmember DeMirjyn; Vice Mayor Knudsen
ABSTAIN: None

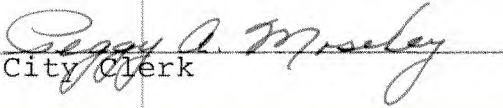
Before adjourning this meeting, Mayor Martinez expressed the hope that it is made public that this Council has indicated "that it is very willing, and hopefully within the next thirty days we will have quite a bit of dialogue with our Board of Trustees so that we can come up with some solution." To Mrs. Williams, he added, "I hope that those of your, Mrs. Williams, will carry this back to your body that we are willing and ready to meet with you at any time that it is convenient for everyone concerned."

Councilman Riordan: "May I ask a question. We excluded the mobile home park, but technically do we have to make a motion to give then the allocation?" Reply in the background not audible. Mrs. Riordan continued: "I don't know, if that's sufficient, fine. I'm just raising a parliamentary question."

The meeting then adjourned at 4:40 P.M. Next regular meeting, November 6, 1979.

ATTEST:


Mayor of the City of Redlands


City Clerk

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