



MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on November 6, 1979, at 7:00 P.M. Planning Commission Items 3:00 P.M.

PRESENT

- Oddie J. Martinez, Jr., Mayor
- Charles G. DeMirjyn, Councilmember
- Warren R. Elliott, Councilmember
- Barbara Cram Riordan, Councilmember
- Chris C. Christiansen, City Manager
- Bruce C. Atkins, Attorney
- Peggy A. Moseley, City Clerk
- Erwin S. Hein, Redlands Daily Facts
- Martha Datema Lipscomb, The Sun

ABSENT

- Chresten M. Knudsen, Vice Mayor

The meeting was opened with the pledge of allegiance and was followed by a brief statement by Councilman DeMirjyn about Mrs. Ruth Cranmer Patton who died recently. Mr. DeMirjyn spoke warmly of Mrs. Patton's true civic devotion and sincere vigilance over the City of Redlands.

Reverend Wayne Harris of the New Life Church offered the invocation.

Mayor Martinez presented a special certificate prepared by the Fire Department to be given to citizens for unusual, heroic deeds. Charles Price of 228 Sharon Road, Redlands, was responsible for immediate action in controlling severe bleeding of his friend, Jeff Warren, whose bicycle crashed into a large window. Charles' prompt and proper life-saving efforts were acclaimed by the Fire Department and attending physician.

Minutes of the regular meeting of October 16, 1979, and the adjourned regular meeting of October 26, 1979, were approved as submitted.

Award
Heroic
Action

BIDS	Bids for the construction of the Prospect Park Theater were reported at the Council meeting of September 18, 1979. At this time, the City Manager presented the modified bid of Inland Contractors in the amount of \$26,000 with the Park Commission recommendation that \$103,000 be used from the Park Acquisition Tax Fund to make up the difference between the modified bid and the State Grant of \$127,000 and the \$30,000 pledged by the Friends of Prospect Park. Mr. Christiansen recommended that Council accept the original bid as it includes additional seating and restroom areas. Councilman Elliott stated that it would be short-sighted to economize by sacrificing seating capacity and restrooms; he then moved to award the contract to Inland Contractors at their original bid of \$290,079. Councilman DeMirjyn seconded the motion. Councilman Riordan stated that although she agreed with the concept, in view of Proposition 13 and Gann, she could not vote for the expenditure nor the additional upkeep and maintenance. The award of this bid was made by the following vote: AYES: Councilman DeMirjyn, Elliott, Mayor Martinez NOES: Councilmember Riordan ABSENT: Councilmember Knudsen Mayor Martinez gave the gavel to Councilman DeMirjyn and left the podium.
Bid Award Prospect Park Theater	
PUBLIC HEARING	Resolution No. 3615, a resolution of the City Council initiating proceedings to annex 86 acres of property contiguous to the City of Redlands, set this time and place for public hearing on Annexation No. 56. Acting Mayor DeMirjyn stated this to be the time and place to file writer protests to this annexation adjacent to the western city limits. No protests or comments being forthcoming, the public hearing was declared closed, and Resolution No. 3625, a resolution of the City Council approving Annexation No. 56 was adopted by the following vote: AYES: Councilmembers DeMirjyn, Elliott, Riordan NOES: None ABSENT: Councilmember Knudsen; Mayor Martinez
Resolution No. 3625 Approving Annexation No. 56	
ORAL PETITIONS FROM THE FLOOR	
Fencing Bookstores	Mr. Randy Cahoon of 852 Denise Avenue addressed Council with concern for the City requirement of a ten foot set-back for a rear-yard fence on his corner lot. Following brief discussion, he was referred to Planning Director Schindler. Mr. Cahoon also stated that pornographic bookstores had no place in Redlands. Attorney Atkins explained the ruling of the Courts on this matter.
COMMISSION REPORTS	
Present Absent 1.	<u>Planning Commission</u> recommendations as considered by the City Council at a regular meeting thereof held on November 6, 1979, at 3:00 P.M. Councilmembers DeMirjyn, Elliott, Riordan; Mayor Martinez; Attorney Bruce C. Atkins. Councilmember Knudsen <u>Minor Subdivision No. 75 - Robert W. Oesterlein</u> That the application for the subdivision of land into four lots for property located on the north side of Sunset Drive, approximately 120 feet east of Margarita Drive, R-E Zone, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated October 23, 1979, and that Planning Recommendation No. 7 be amended to read: Provide for a 20 foot wide public utility and access easement along the northerly boundary for ingress and egress. On motion of Councilman DeMirjyn, seconded by Councilman Elliott, Minor

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COMMISSION REPORTS - PLANNING (Continued)

2.

Subdivision No. 75 was approved as recommended by the Planning Commission by AYE votes of all present.

Conditional Use Permit No. 320 - Mrs. Elizabeth Price

That the application to expand an existing day care facility from six to eight children on property located at 1306 East Colton Avenue, R-1 Zone, be approved in accordance with the requirements of all departments as contained in Planning Commission minutes dated October 23, 1979. On motion of Councilman DeMirjyn, seconded by Councilman Riordan, this recommendation of the Planning Commission was approved by AYE votes of all present.
3.

R.P.C. No. 509 - Ordinance Amendment No. 143 - City of Redlands

That R.P.C. No. 509, a resolution of the Planning Commission for the adoption of Amendment No. 143 of Zoning Ordinance No. 1000 amending Sections 25.20(D), 26.20(D), and 52.10 establishing regulations pertaining to adult entertainment facilities citywide, be approved as recommended by the Planning Commission. On motion of Councilman DeMirjyn, seconded by Councilman Elliott, R.P.C. No. 509 was approved by the City Council, and Ordinance No. 1700, an ordinance of the City of Redlands establishing procedures for the construction, operation, and expansion of an adult entertainment facility, was introduced and laid over under the rules with public hearing set for November 20, 1979, at 7:00 P.M.
4.

R.P.C. No. 510 - Ordinance Amendment No. 144 - City of Redlands

That R.P.C. No. 510, a resolution of the Planning Commission for the adoption of Amendment No. 144 of Zoning Ordinance No. 1000 amending Section 40.20 redefining parking requirements for Commercial Uses Not Otherwise Enumerated, be approved as recommended by the Planning Commission. On motion of Councilman DeMirjyn, seconded by Councilman Riordan, R.P.C. No. 510 was approved by the City Council, and Ordinance No. 1702, an ordinance of the City of Redlands adopting Amendment No. 144, Parking Space Requirements, was introduced and laid over under the rules with public hearing set for November 20, 1979, at 7:00 P.M.

ADDENDUM

1.

Setback Correction for Home on Lot 37, Tract 9996

Mr. Schindler reported that the subject house located on the north side of Fifth Avenue between LaSalle Street and Wabash Avenue had received a building permit and was proceeding according to recommendations of the Planning Commission. No Council action.

OTHER ITEMS FOR COUNCIL CONSIDERATION

1.

Conditional Use Permit No. 281 - Historical Glass Museum - Time Extension

Council removed the requirements for time extensions for this unusual case as recommended by Planning Director Schindler. CUP 281 will be given final approval when the project is completed.
2.

Minor Subdivision No. 79 - James W. Hicks for Anna Freitas

Mr. James Hicks requested that this minor subdivision receive waiver from the requirements of Paragraph D of Resolution No. 3534 and be allowed instead to be considered under Paragraph B of this resolution and thus be charged a lesser fee.

Public Works Director Donnelly reminded Council that "many, many developers have been required to abide by the resolution and all minor subdivisions are considered subdivisions." On motion of Councilman DeMirjyn, seconded by Councilman Elliott, approval of this amendment to the resolution requirements was given by the following vote:

AYES:

Councilmembers DeMirjyn, Elliott; Mayor Martinez

NOES:

Councilmember Riordan, for the reason that she believes the resolution should be upheld

ABSENT:

Councilmember Knudsen
3.

Annexation Study - Citrus Avenue, Alabama Street, and Barton Road - Resolution No. 3626

Director of Planning and Community Development Schindler presented a study map of the area under consideration for annexation to the City.

PLANNING COMMISSION RECOMMENDATIONS (Continued)	
	Following brief discussion, on motion of Councilman DeMirjyn, seconded by Councilman Elliott, Council adopted Resolution No. 3626 which initiates proceedings to annex uninhabited territory identified as "Annexation No. 58."
4.	<u>Residential Development Application No. 14 - A. C. Nejedly and Jay Andrews</u> An application for allocation for a 122-unit adult mobile home park located on the north side of Lugonia Avenue, approximately 300 feet east of Occidental Drive, R-1 Zone, with 45 units set aside for low and moderate income housing, was approved on motion of Councilman Elliott, seconded by Councilman DeMirjyn, by AYE votes of all present.
5.	<u>Planning Grant - United States of America - Municipal Airport</u> Resolution No. 3627, a resolution of the City of Redlands accepting a Planning Grant Agreement between the United States of America and the City of Redlands for preparation of an Airport Master Plan for the Redland Municipal Airport, was adopted by AYE votes of all present on motion of Councilman DeMirjyn, seconded by Councilman Riordan.
Resolution No. 3627 Airport	
6.	<u>Outside City Water - Emergency Service Agreement - V. W. O'Connor, Jr.</u> A request for "temporary emergency water in case of equipment failure" for a proposed 142-unit mobile home park in Mentone made by Sierra Redlands, Inc. was referred to the Public Works staff for study and report on motion of Councilman Riordan, seconded by Councilman DeMirjyn. There being no further business, Council adjourned, on motion, to a personnel session. <u>Traffic Commission</u> - Councilman Elliott presented Resolution No. 3619, a resolution of the City Council authorizing the installation of stop signs on Elm Street at Summit Avenue, stopping both north and south bound traffic. He then moved for adoption of this resolution. Motion seconded by Councilman Riordan and carried by AYE votes of all present. Councilman Elliott then moved for adoption of the following resolutions establishing speed zones: Resolution No. 3620 - Tennessee Street and part of San Mateo Street; Resolution No. 3621 - San Bernardino Avenue; Resolution No. 3622 - Brookside Avenue and Barton Road; and Resolution No. 3623 - Church Street. Motion seconded by Councilman Riordan and carried by AYE votes of all present. <u>Recreation Commission</u> - will meet on the second Thursday in December.
Resolution No. 3619 Stop Signs	
Resolution Nos. 3620 3621 3622 3623 Speed Zones	
APPLICATIONS AND PETITIONS	
Waivers	On motion of Councilman Riordan, seconded by Councilman Elliott, permission to hold and waivers of business licenses were approved for the following:
Lions	1. The Redlands Host Lions Club's sale of packaged dates and candy for approximately six weeks beginning on November 8, to aid the Lions Club Sight Conservation Program.
V.F.W.	2. The Veterans of Foreign Wars' sale of Buddy Poppies November 9 and 10, 1979, to aid the sick and injured Veterans of Foreign Wars.
Camp Fire Council	3. The San Andreas Council of Camp Fire's annual candy sale to be conducted door-to-door beginning January 15 through February 15, 1980.
March of Dimes	4. The Inland Counties Chapter of the March of Dimes Walkathon on Sunday, March 23, 1980.
Arthritis Campaign	5. The Inland Empire Branch of Arthritis Foundation's door to door solicitation campaign in February, 1980.
Norton	6. The Chamber of Commerce was granted permission to close Fifth Street from Redlands Boulevard to State Street on November 9, 1979, from

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APPLICATIONS AND PETITIONS (Continued)

Band and Drill Team 6. 12:00 noon to 2:00 P.M. for a performance by the Norton Air Force Base Military Band and Drill Team.

COMMUNICATIONS

Proposition "R" Committee Councilman Elliott reminded Council of his request on August 21, 1979, that the Proposition "R" Committee be reconvened to study problems which have arisen. City Manager Christiansen explained he had understood the Committee was to convene following the allocation of building permits. Following discussion, Council concurred that since allocations were delayed to January 15, 1980, the "R" Committee should convene and have one meeting to study drainage problems in parts of the City.

NEW BUSINESS

Resolution No. 3618 Railroad Crossing Protection Resolution No. 3624 Affirmative Action Plan Resolution No. 3618, a resolution of the City Council of the City of Redlands authorizing the Mayor and City Clerk to sign an agreement prepared by the Santa Fe Railroad Company providing crossing protection at the intersection of Dearborn Street and the Santa Fe Railroad Crossing No. 2U-10-9, was adopted by AYE votes of all present on motion of Councilman Riordan, seconded by Councilman Elliott. On motion of Councilman Elliott, seconded by Councilman Riordan, Resolution No. 3624, a resolution of the City Council adopting an Equal Employee Opportunity Affirmative Action Plan and rescinding Resolution No. 3535, was adopted by AYE votes of all present.

CITY MANAGER

Funds Fire Department A new state law requires special Emergency Medical Technician training for all fire personnel and has forced the department to hire an outside instructor to teach the class which depleted the budget for formal training sessions. On motion of Councilman Elliott, seconded by Councilman Riordan, Council authorized an additional appropriation of \$750.00 to provide scheduled training sessions for the Fire Department.

Bid Call Well Pumping Equipment The City Clerk was authorized to advertise for bids for a deep well turbine pump, motor, and electrical panel for the East Lugonia Well No. 6 on motion of Councilman Riordan, seconded by Councilman Elliott. The water from the well will help meet the anticipated peak water demand during future summers.

Funds Sylvan Plunge Pipeline License On motion of Councilman Elliott, seconded by Councilman Riordan, Council authorized an additional appropriation in the amount of \$3,000 to have the buildings at Sylvan Plunge razed. Council authorized the Mayor to execute the standard pipeline license from Santa Fe Railway Company for the construction of a sewer main under their tracks in Mountain View Avenue on motion of Councilman Riordan, seconded by Councilman Elliott.

Outside Sewer Service On motion of Councilman Riordan, seconded by Councilman Elliott, Council granted sewer service to the Mt. View Child Care Center located at 10132 Mt. View Avenue. Council concurred with the County Planning Department's recommendation that this service be considered commercial rather than residential.

South Avenue Reservoir Contract Council authorized the Mayor and City Clerk to execute a contract between the City and James M. Montgomery Consulting Engineers, Inc., for the design of the South Avenue Reservoir Site on motion of Councilman Elliott, seconded by Councilman Riordan.

CITY MANAGER (Continued)

Bid Call

Water Main

Option "B" Water Contracts

Crossing Guard Pay

CITY ATTORNEY

School Fees

The City Clerk was authorized to advertise for bids for the purchase of 10,600 feet of twenty-four (24) inch steel pipe for the construction of a water transmission main as approved in the 1979-80 budget on motion of Councilman Riordan, seconded by Councilman Elliott. The main will be constructed within Fifth Avenue between King Street and Farview Lane, within Farview Lane and Ford Street to Redlands Boulevard and is required in order to meet anticipated peak water demands next summer.

On motion of Councilman Riordan, seconded by Councilman Elliott, Council approved two Option "B" Water Contracts in the names of John G. and Myrtle M. Freitas and Roland G. and Bonnie C. LaPlante and authorized the Mayor and City Clerk to sign on behalf of the City.

The City Manager's request that Council raise the hourly pay for school crossing guards from \$2.90 to \$3.50 in order to find people to work was approved on motion of Councilman Elliott, seconded by Councilman Riordan.

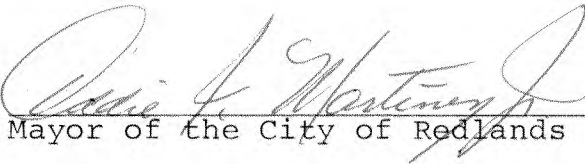
The City Attorney's Office was requested to report on the legality of a school construction fee for new subdivisions and multiple unit construction. Attorney Atkins stated that the genesis of this fee was State Senate Bill 201 adopted in 1977 prior to Proposition 13; that the State Attorney General has issued the opinion that SB 201 violates Section 4 of Proposition 13 as being special taxation which would require a two-thirds vote of the registered voters; that a summary judgment of the Shasta County Superior Court relied on the opinion of the Attorney General. Attorney Atkins added that no decision was expected for several months, with the probability being that it will be upheld.

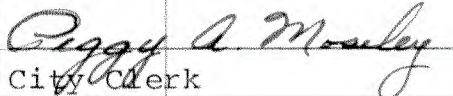
Councilman Riordan stated she was inclined to agree this should go to the voters, possibly this spring, and requested this matter be brought back to a full Council in two weeks for consideration.

Bills and salaries were ordered paid as approved by the Finance Committee. There being no further business, Council adjourned, on motion, at 7:40 P.M.

Next regular meeting, November 20, 1979.

ATTEST:


Mayor of the City of Redlands


City Clerk

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