

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on January 15, 1980, 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, Councilmember
- Warren R. Elliott, Councilmember
- Barbara Cram Riordan, Councilmember

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Chris C. Christiansen, City Manager
 Bruce C. Atkins, Attorney
 Peggy A. Moseley, City Clerk
 Ted Randolph, Redlands Daily Facts
 Bettye Wells, The Sun

ABSENT

None

The meeting was opened with the pledge of allegiance, followed by the invocation by Mr. Harold Moore.

Minutes of the regular meeting of December 18, 1979, and the special meeting of December 31, 1979, were approved as submitted.

BIDS

Bid
Award

Weed
Abatement
Contract

A bid was opened and publicly declared by the City Clerk at 10:00 A.M. on December 27, 1979, for a two-year contract, which is on file in the City Clerk's Office, for weed abatement and waste removal under the direction and supervision of the Fire Department from Douglas Holman, Highland, California. It is the recommendation of the Fire Department that award be made to Douglas Holman. On motion of Councilman DeMirjyn, seconded by Councilman Riordan, unanimous Council approval was given to award Douglas Holman the contract for 1980-81 for weed abatement and waste removal work.

Prior to considering the public hearings, Mayor Martinez brought Agenda Item 13 before Council to accomodate interested members of the audience. There were no objections.

School
Impaction

Councilman Knudsen described meetings of School Board Members and Chairman, Dr. Boysen, school staff members, and school attorneys together with himself, Councilman Elliott, City Manager Christiansen, and City Attorneys to try to solve the school dilemma. He reiterated that the Council has agreed with the School Board on the matter of impaction and have "accepted the School Board's words as to what they would accept to mitigate the impaction."

Resolution
No. 3645

School
Construction
Fees

Mr. Knudsen stated that to implement the Council's action of December 31, 1979, and to make it possible for the City to issue building permits, Resolution No. 3645 has been developed. He then read the resolution in full and explained the manner in which builders would pay a \$1.00 per square foot School Construction Fee for residential construction to the School District and receive "a slip" from the schools stating that the builder has mitigated the situation, and then would return to the City to apply for a building permit.

Mr. Knudsen stated that the School District would basically collect, retain, and use the fees as they saw fit, adding that he felt there would be the moral obligation to use the funds to mitigate the impaction. Mr. Knudsen then moved for adoption of Resolution No. 3645; his motion was seconded by Councilman Riordan "for discussion purposes."

Mr. Robert Wagner stated that this resolution does not coincide with the Council's motion passed on December 31; that at that time Council stated it would set fees and submit the matter of impaction to the public at the April election. "I think it was purely your intent at that time to present to the public, via the vehicle of the City Council, the matter of whether the schools are impacted or not; I do not see that this resolution in any way fulfills the motion that was agreed upon at that time. Further I feel the public is entitled to make this decision."

In reply, Councilman Knudsen agreed that was a part of his motion, and added that in December it was his hope that the funds could be taken now,

MINUTES (Continued)

be escrowed, and returned to the builder in the event the measure did not carry. He stated that the school counsel pointed out that those things "could not really happen" and furthermore, "they threatened us with a law-suit if we didn't get something going that was satisfactory to them, and we have a terrible legal problem created by Proposition 'R', State law known as Senate Bill 201 and other factors of state law." The School Board has indicated that they would be prepared, particularly their legal counsel, "to tackle us on several legal points and so this resolution was in acquiescence to their demands, in essence."

Mr. Wagner replied that he understood the Council's situation, but that as a voter and citizen of Redlands, he would like the Council to give him the right, at the ballot box, to determine and to tell the School District that they are not utilizing their facilities and their funds for the best interest of the citizens of this community. He spoke also of the greatly added cost passed onto the home-buyer and financed for years at increasingly high interest. He repeated that he believed it was Council's duty to provide the general public with the opportunity to make this determination.

Councilman Riordan questioned the validity of the impaction measure on the City ballot in the event the County appeal was upheld.

Mr. James Coffin of C-Y Development stated that he felt the schools will be impacted in time, but are not at this time and mentioned an overall decline in school enrollment in California. He added that he opposed giving the School District the right "to hold homes in ransom."

Also speaking briefly was Attorney Lee H. Durst, representing Citerion Development, Inc. who presented a five-page letter to Council and spoke on renewal permits; Mrs. Ingrid Mack who expressed concern that funds raised within the City would be used for schools principally serving County and Loma Linda residents; School Board President Perry Dyke who stated that the funds collected by the Schools "will be used to mitigate and will not be returned."

Resolution
No. 3645

Impaction
Mitigation
Fees

The vote was called for and Resolution No. 3645 was adopted by the following vote:

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

Councilman Riordan requested that Council adjourn this evening's meeting to an adjourned regular meeting on Tuesday, January 22, 1980, at 7:00 P.M. On motion of Councilman Riordan, seconded by Councilman Knudsen, this was unanimously approved. Councilman DeMirjyn stated he would be unable to attend, but had no objection to the meeting as he agreed in essence.

Councilman Elliott made a brief statement opposing additional fees for the reason that they would discourage new industrial development which Redlands needs, and suggested the City look to giving developers relief in regard to "front money."

PUBLIC HEARINGS

Ordinance
No. 1703

Zone Change
No. 220

Tabled

Consideration on Ordinance No. 1703, an ordinance of the City of Redlands which establishes a change of zone from A-1 (Agriculture) District to C-M (Commercial/Manufacturing) District for 5.95 acres of property located on the south side of Lugonia Avenue approximately 640 feet west of Karon Street, was tabled at the December 4, 1979, meeting to this time. A letter has been received from Mr. John K. Powell requesting this item be tabled until the May 6, 1980, meeting. On motion of Councilman DeMirjyn, seconded by Councilman Elliott, the public hearing was tabled to May 6, 1980.

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PUBLIC HEARINGS (Continued)

Public hearing was advertised for this time and place on Ordinance 1708, an ordinance of the City of Redlands adopting Amendment No. 146 to Ordinance No. 1000, Section 33.00; Issuance of Building Permits, requiring a certificate of occupancy and zoning clearance for new buildings, additions, re-use of an existing building, or use of undeveloped land. 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. 1708 was adopted, with waiver of the reading of the ordinance in full, on motion of Councilman DeMirjyn, seconded by Councilman Riordan, by the following roll call vote:

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

COMMISSION REPORTS

Present	<p><u>Planning Commission</u> recommendations as considered by the City Council at a regular meeting thereof held on January 15, 1980, at 3:00 P.M.</p> <p>Councilmembers Knudsen, DeMirjyn, Elliott, Riordan; Mayor Martinez; Attorney Bruce C. Atkins</p>
1.	<p><u>Conditional Use Permit No. 319 - Jay Andrews and A. C. Nejedly</u></p> <p>That the application for Conditional Use Permit No. 319 for a 122-unit mobile home park for property located on the east side of Thames Street between Lugonia Avenue and Pennsylvania Avenue extended, R-1 Zone, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated January 8, 1980. Applicant A. C. Nejedly spoke briefly concerning the requirement to install a six-foot wall between his property and Lugonia Fountain Mobile Home Park. Mr. Schindler stressed the need to avoid patchwork of fencing between the two projects and for privacy and aesthetic purposes. Following brief discussion, on motion of Councilman DeMirjyn, seconded by Councilman Riordan, unanimous approval was given to this recommendation of the Planning Commission including the installation of the six foot high masonry wall.</p>
2.	<p><u>R.P.C. No. 516 - Amendment No. 147 to Ordinance No. 1000 - City of Redlands</u></p> <p>That R.P.C. No. 516, a resolution of the Planning Commission amending Zoning Ordinance No. 1000, Section 52.10(D), Adult Theaters, be approved. Planning Director Schindler explained this amendment is to standardize the criteria and processing procedures for the three categories of adult-type entertainment activities. Conventional-type theaters are deleted from the amended regulations. New construction of a theater is still subject to approval by the Planning Commission; a re-occupancy of an existing theater will be covered by the newly adopted regulations pertaining to issuance of an occupancy permit and zoning clearance. The significant change in the regulation is the inclusion of a paragraph pertaining to the requirement of a background investigation of the applicant by the Police Department. On motion of Councilman DeMirjyn, seconded by Councilman Riordan, R.P.C. No. 516 was unanimously approved by the City Council, and Ordinance No. 1709, an ordinance of the City of Redlands adopting Amendment No. 147 to Ordinance No. 1000, Adult Theaters, was introduced and laid over under the rules with public hearing set for February 5, 1980, at 7:00 P.M.</p>
3.	<p><u>R.P.C. No. 517 - Amendment No. 148 Ordinance No. 1000 - City of Redland</u></p> <p>That R.P.C. No. 517, a resolution of the Planning Commission amending Zoning Ordinance No. 1000, Section 52.22, Mobile Home Subdivision, be approved. This amendment will provide for the subdivision of a mobile home park and is purposely contained within the mobile home park development regulations to avoid the repeating of property development standards in a separate ordinance and to emphasize that the regulation does not apply to placement of a mobile home on an individual lot. On motion of Councilman DeMirjyn, seconded by Councilman Riordan, R.P.C. No. 517 was unanimously approved by the City Council, and Ordinance No. 1710, an ordinance of the City of Redlands adopting Amendment No. 148 to Ordinance No. 1000, Mobile Home Subdivision, was introduced and laid over under the rules with public hearing set for February 5, 1980, at 7:00 P.M.</p>

COMMISSION REPORTS (CONTINUED)							
4.	<p><u>Variance No. 246 - Redlands Federal Savings and Loan</u></p> <p>This application for a variance to the requirements to Sign Code Ordinance No. 1342 was denied by the Planning Commission as not meeting the four criteria necessary for a variance. Following discussion, on motion of Councilman Riordan, seconded by Councilman DeMirjyn, Ordinance No. 1712, an ordinance of the City Council amending Section 84511, paragraph 2b, adding (7) and paragraph 2c, adding (6) of Ordinance No. 1342, was given first reading and laid over under the rules with public hearing set for February 5, 1980.</p>						
5.	<p><u>County General Plan Amendments</u></p> <p>On motion of Councilman Riordan, seconded by Councilman Elliott, Director of Planning and Community Development Schindler was authorized to write San Bernardino County Planning Commission reaffirming the Council's interest in the West Redlands area and interest in a joint study with the Commission.</p>						
OTHER PLANNING ITEMS FOR COUNCIL CONSIDERATION							
1.	<p><u>Minor subdivision No. 63 - Redlands Mall Associates - Final Approval</u></p> <p>All requirements as outlined in Council minutes dated November 7, 1978, having been complied with, it is the recommendation of the Planning Department that final approval be given Minor Subdivision No. 63. On motion of Councilman DeMirjyn, seconded by Councilman Riordan, this recommendation of the Planning Department was unaimously approved.</p>						
2.	<p><u>Conditional Use Permit No. 318 - Garry Brow - Final Approval</u></p> <p>All requirements as outlined in Council minutes dated October 2, 1979, having been complied with, it is the recommendation of the Planning Department that final approval be given Conditional Use Permit No. 318. On motion of Councilman DeMirjyn, seconded by Councilman Riordan, this recommendation of the Planning Department was unanimously approved.</p>						
3.	<p><u>Resolution No. 3641 - Amendment to Ordinance No. 1680</u></p> <p>Council discussed the 1980 allocations under Ordinance No. 1680 briefly. Planning Director Schindler reported that he has received applications for 377 units in ten submissions. On motion of Councilman DeMirjyn, seconded by Councilman Elliott, Resolution No. 3641, a resolution of the City Council establishing April 15, 1980, as the application filing deadline and July 15, 1980, as the final date for allocation of the first semi-annual allocation of building permits for the year 1980, was unanimously adopted.</p>						
4.	<p><u>Tract No. 10628 and Zone Change No. 213 - Anacal Engineering Company</u></p> <p>On motion of Councilman DeMirjyn, seconded by Councilman Knudsen, Tract No. 10628 and Zone Change No. 213 were denied without prejudice.</p>						
5.	<p><u>R-2 Zoning - Density and Crowding - Councilman Knudsen</u></p> <p>Councilman Knudsen reminded Council that he had requested the Planning Commission to study the resulting density in the R-2 zoned areas of the City. Mr. Schindler stated that the Commission had considered the problems and have not reached any final solutions. He added that the Council does have site plan control if they believe a problem is developing. Councilman Knudsen recommended, and Council concurred, that the Council and Commission should jointly study the matter as soon as possible by making a tour of the areas under discussion following the next Council meeting.</p>						
6.	<p><u>Tract No. 8124 - 13 Lots - Mr. Robert Wagner</u></p> <p>Mr. Robert Wagner read the Public Works Requirement No. 7A for the above tract, which stated that the developer "diligently pursue acquisition and dedication of sufficient right-of-way to provide a smooth curve" on Center Street, west of his development. Mr. Wagner presented a letter from Gene L. Harn, owner of the property, stating that Mr. Harn is not interested in making the dedication. Following discussion of the reasons for attempting to obtain this right-of-way, the City's right of eminent domain, the rock wall involved, and the lack of any specific time schedule for completing the work of widening Center Street, the requirement was ordered deleted. This motion of Councilman DeMirjyn, seconded by Councilman Elliott was approved by the following vote:</p> <table><tr><td>AYES:</td><td>Councilmembers DeMirjyn, Elliott, Riordan; Mayor Martinez</td></tr><tr><td>NOES:</td><td>Councilmember Knudsen</td></tr><tr><td>ABSENT:</td><td>None</td></tr></table>	AYES:	Councilmembers DeMirjyn, Elliott, Riordan; Mayor Martinez	NOES:	Councilmember Knudsen	ABSENT:	None
AYES:	Councilmembers DeMirjyn, Elliott, Riordan; Mayor Martinez						
NOES:	Councilmember Knudsen						
ABSENT:	None						

OTHER PLANNING ITEMS FOR COUNCIL CONSIDERATION (Continued)

	There being no further business, Council adjourned, on motion, to a personnel session.
	<u>Park Commission</u> - no agenda for this month.
	<u>Housing Commission</u> - met for a presentation on affordable housing.
Resolution No. 3639	<u>Traffic Commission</u> - Resolution No. 3639, a resolution of the City Council setting speed limits on Citrus Avenue between Eureka Street and Wabash Avenue, was adopted unanimously on motion of Councilman Elliott, seconded by Councilman DeMirjyn.
Speed Zones	
Resolution No. 3640	On motion of Councilman Elliott, seconded by Councilman DeMirjyn, Resolution No. 3640, a resolution of the City Council directing the installation of a stop sign on Smiley Heights Drive at Serpentine Drive, was unanimously adopted.
Stop Sign	
Resolution No. 3642	Resolution No. 3642, a resolution of the City Council establishing speed limits on Mountain View Avenue between Lugonia and San Bernardino Avenues, was unanimously adopted on motion of Councilman Elliott, seconded by Councilman DeMirjyn.
Speed Zones	
	<u>Recreation Commission</u> - no agenda this month.
	<u>Public Works Commission</u> - no agenda this month.
	<u>Historic and Scenic Preservation Commission</u> - will meet at the Glen Noyes home on January 17, 1980.

APPLICATIONS AND PETITIONS

Denial	Mr. Harold McGlone's request to place a mobile home on property south of the University of Redlands to house his family while building a new home was denied on motion of Councilman DeMirjyn, seconded by Councilman Riordan, by unanimous vote.
Waiver Bowl Fees	On motion of Councilman DeMirjyn, seconded by Councilman Riordan, the Grayback District of the California Inland Empire Council, Boy Scouts of America, was granted the use of the Redlands Bowl and a waiver of bowl fees for their annual Lincoln Shrine Pilgrimage on Saturday, February 9, 1980.

UNFINISHED BUSINESS

Ordinance No. 1705	Ordinance No. 1705, an ordinance of the City of Redlands authorizing an amendment pertaining to the member's contribution rate to the contract between the City and the Board of Administration of the California Public Employees' Retirement System was given second reading of the title and adopted with waiver of the reading of the ordinance in full, on motion of Councilman Knudsen, seconded by Councilman Riordan, by the following roll call vote: AYES: Councilmembers Knudsen, DeMirjyn, Elliott, Riordan; Mayor Martinez NOES: None ABSENT: None
Amend PERS Contract	
Ordinance No. 1707	On motion of Councilman Knudsen, seconded by Councilman Riordan, Ordinance No. 1707, an ordinance of the City of Redlands to be known as the "Peddling, Solicitation, and Distribution of Advertising Ordinance of the City of Redlands" was given second reading of the title and adopted with waiver of the reading of the ordinance in full, by the following roll call vote: AYES: Councilmembers Knudsen, DeMirjyn, Elliott, Riordan; Mayor Martinez NOES: None ABSENT: None
Advertising Distribution	

1-15-80

NEW BUSINESS

Resolution No. 3643	On motion of Councilman DeMirjyn, seconded by Councilman Riordan, Resolution No. 3643, a resolution of the City Council approving Supplement
Supplement No. 4	No. 4 of the Master Agreement between the City and the State of California for a Pavement Marking Demonstration Program, was unanimously
State Agreement	approved and the Mayor authorized to sign the Supplement for the City.
Ordinance No. 1711	Ordinance No. 1711, an ordinance of the City of Redlands amending the Redlands Ordinance Code, Article 409, establishing tighter controls on
Unclaimed Property	the procedures for the disposal of unclaimed prperty was given first reading of the title and laid over under the rules with second reading set for February 5, 1980, at 7:00 P.M.

CITY MANAGER

Bid Call Grove Removal	<p>The City Clerk was authorized unanimously to advertise for bids for the following:</p> <ol style="list-style-type: none">1. Two-year contract to remove dead citrus groves under the direction and supervision of the Redlands Planning Department on motion of Councilman DeMirjyn, seconded by Councilman Riordan.
Bid Call Terracina Boulevard Construction	<ol style="list-style-type: none">2. Construction of Terracina Boulevard from 430 feet north of Laurel Avenue to 200 feet north of Laurel Avenue on motion of Councilman DeMirjyn, seconded Councilman Knudsen. This is a budgeted Gas Tax project.
Bid Call Well Pump	<ol style="list-style-type: none">3. Deep well turbin pump, motor and electrical panel for the East Lugonia No. 4 Well located northerly of Sapphire and Madeira Avenue in the Mentone area on motion of Councilman DeMirjyn, seconded by Councilman Knudsen.
Funds	<p>On motion of Councilman DeMirjyn, seconded by Councilman Riordan; Council unanimously approved an additional appropriation in the amount of \$24,000 to purchase a resuce unit for the Fire Department to replace a 1965 Chevrolet Panel which is presently broken down and in need of constant repair; \$80,000 to purchase eleven black and white police cars; and \$80,000 to purchase a disposal truck with compactor body. These funds will come from the Capital Improvement Fund.</p>
Bid Calls	<p>The City Clerk was then authorized to advertise for bids for a rescue unit for the Fire Department, eleven police cars, and a disposal truck with compactor body on motion of Councilman Riordan, seconded by Councilman DeMirjyn.</p> <p>On motion of Councilman DeMirjyn, seconded by Councilman Knudsen, four claims against the City were denied in routine manner and referred to the City's insurance carrier. These claims were in the names of: S. Spata, E. Bean, G. R. Williamson, and Steve Thomas</p>

CITY ATTORNEY

Resolution No. 3644	On motion of Councilman DeMirjyn, seconded by Councilman Elliott, Resolution No. 3644, a resolution of the City Council of the City of Redlands, California, calling and giving notice of the holding of a General Municipal Election to be held in said city on Tuesday, April 8,
Calling 1980 General Election	1980, for the election of certain officers of said City as required by the provisions of the laws of the State of California relating to General Law Cities and for the submission to the qualified electors of said City of a question relating to the Office of Treasurer of the City of Redlands, California; and for the consolidation of the Redlands Unified School District Special Election with the General Municipal Election of April 8, 1980, for the submission to the qualified electors of said city of a question relating to special taxes for construction of school facilities, and rescinding Resolutions Nos. 3635 and 3638, was unanimously adopted.


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CITY ATTORNEY (Continued)

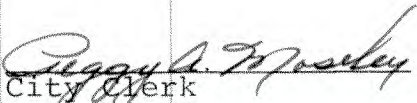
Bills and salaries were ordered paid as approved by the Finance Committee.

There being no further business, Council adjourned, on motion, at 8:30 P.M. to an adjourned regular meeting on Tuesday, January 22, 1980, at 7:00 P.M.

Next regular meeting, February 5, 1980.


Mayor of the City of Redlands

ATTEST


City Clerk

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