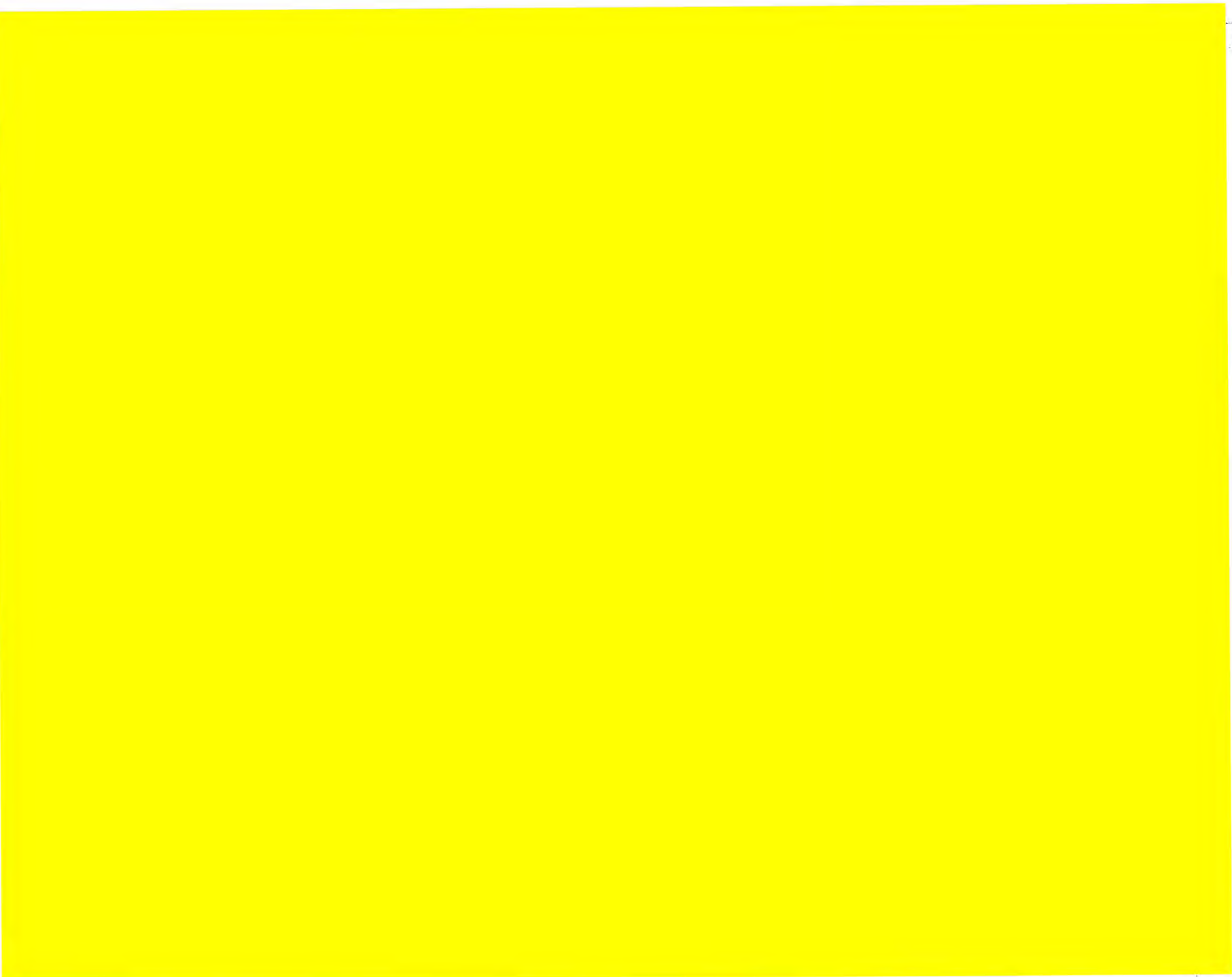




MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on June 17, 1980, at 7:00 P.M. Planning Commission Items 3:00 P.M.

PRESENT

James W. Gorman, Vice Mayor
Oddie J. Martinez, Jr., Councilmember
Barbara Cram Riordan, Councilmember
Ken Roth, Councilmember

Chris C. Christiansen, City Manager
Edward F. Taylor, City Attorney
Peggy A. Moseley, City Clerk
Ted Randolph, Redlands Daily Facts
Sam Nicholas, The Sun

ABSENT

Charles G. DeMirjyn, Mayor

The meeting was opened with the pledge of allegiance, followed by the invocation by Councilman Oddie J. Martinez, Jr.

Minutes of the regular meeting of June 3, 1980, were approved as submitted.

PUBLIC HEARINGS

Public
Housing

Public hearing was advertised for this time and place on a request by the San Bernardino County Housing Authority for approval for acquisition of two sites for locations of public housing. One location is 108 West Cypress Avenue for five two-bedroom units and the others at 48 North San Mateo for eleven two-bedroom units. In connection with the above, this is a public hearing on Resolution No. 3680 approving application by the Housing Authority for a loan for surveys and planning for the low-rent housing not to exceed forty-five units nor \$22,500.00.

Mayor Gorman declared the meeting open as a public hearing and called upon Housing Commission Chairman Wallace who brought the recommendation of the

PUBLIC HEARINGS (Continued)Public
Housing

Redlands Housing Commission for approval of both items.

Phil Rush, County Housing Development Specialist, reviewed the background on Article 34 of the California Health and Safety Code, stating a notice of funds available had been received early in 1979 for 113 two-bedroom units in San Bernardino County. The Redlands City Council approved Resolution No. 3566 on March 20, 1979, approving the development, construction, and ownership of low-rent housing not to exceed forty-five dwelling units and approving a Cooperation Agreement with the Housing Authority of San Bernardino County. Potential sites which met HUD requirements were identified in September, 1979, and the owners approached for the sale of the properties. Mr. Rush stressed these properties would be owned and operated by the County Housing Authority under Article 34 Referendum, and approval of the sites is subject to this evening's public hearing.

Perla Eston, County Housing Authority, reported the two sites under consideration this evening were located at 108 West Cypress Avenue (five two-bedroom units) and 48 North San Mateo (eleven two-bedroom units). The sites were submitted to HUD for price feasibility review. The appraisal on the Cypress Avenue site is too low for the sale price and therefore is withdrawn from consideration. The County Housing Authority is now asking for approval only for the San Mateo site which is located in an R-2 Zone, contains approximately 24,000 square feet, is surrounded by apartments, meets HUD requirements, and is not located in an impacted school area. She stressed this request is not for specific approval, only approval to proceed with surveys and planning. Miss Eston stated that current zoning allows a twenty-five percent density bonus for low-income housing, the Housing Authority is asking for eleven units if the Redlands Planning Commission and HUD will approve.

Concerns were expressed on the economic feasibility of developing this property, the size of the entrance, parking, lack of children's play space, the danger the drainage ditch presents, and density in the area by Victor Blankenship, 1740 Canyon Road; Bill Padavick, 17 Hastings; and Bowook Paik, 215 San Mateo. Mr. Blankenship also felt that all City, State, and Federal laws should be followed the same as a private developer would be required to do.

Dr. Rolan Zimmerman, 1004 West Highland Avenue, stated segregation of the economically disadvantaged often has a detrimental effect. Mrs. Donna Wallace, 849 Chestnut Avenue, stated this was an important issue and challenged the community to be a model in the County to show Redlands cares.

After general discussion, the Public Hearing was closed. Councilman Martinez spoke in favor of this recommendation and moved to approve the San Mateo Street site in accordance with all City ordinances and City department requirements. Councilman Riordan seconded.

Resolution
No. 3680Public
Housing
Loan

Lengthy discussion between County officials, Councilmembers, and members of the audience clarified the twenty-five percent density bonus available under AB 1151; that all City requirements must be met; that units will be compatible with the neighborhood; and funding for the preliminary loan will be at \$500.00 per unit to prepare plans and surveys for only sites approved by Council. Mr. Martinez withdrew his motion with Mrs. Riordan's consent and then moved to adopt Resolution No. 3680, a resolution of the

Public
Housing
Site
Approval

City Council approving the application of the County Housing Authority for preliminary loan for low-rent housing projects, changing the forty-five units to ten units and in an amount not to exceed \$5,000.00. Councilman Roth seconded and motion carried by AYE votes of all present. Councilman Riordan moved to approve the site location at 48 North San Mateo for public housing projects which will be owned and managed by the County Housing Authority. Motion seconded by Councilman Martinez and carried by AYE votes of all present.

Ordinance
No. 1728

Side Yard
Regulations

Public hearing was also advertised for this time and place on Ordinance No. 1728, an ordinance of the City of Redlands pertaining to side yard regulations in the R-A, R-E, R-S, and R-1 Districts. Mayor Gorman declared declared the meeting open as a public hearing for any questions or comments concerning this amendment to Zoning Ordinance No. 1000. None being forthcoming, the public hearing was declared closed, and Ordinance No. 1728 was adopted, with waiver of the reading of the ordinance in full, on motion of Councilman Riordan, seconded by Councilman Martinez, by the following roll call vote:

AYES: Councilmembers Martinez, Riordan, Roth; Mayor Gorman
NOES: None
ABSENT: Mayor DeMirjyn

COMMISSION REPORTS

Planning Commission - Planning Commission recommendations as considered by the City Council at a regular meeting thereof held on June 17, 1980, at 3:00 P.M.

Present: Councilmembers Martinez, Riordan, Roth; Vice Mayor Gorman;
Attorney Bruce C. Atkins
Absent: Mayor DeMirjyn

1. Minor Subdivision No. 91 - Livingston and Graham

That the request for a subdivision of five acres into two lots for property located on the east side of Alabama Street, approximately 2,559 feet south of Third Street, O Zone, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated June 10, 1980, and revising the word sewer instead of water in the Utility Division Sewer Section Recommendation No. 1. On motion of Councilman Riordan, seconded by Councilman Martinez, Minor Subdivision No. 91 was approved by AYE votes of all present as recommended by the Planning Commission.

OTHER PLANNING ITEMS FOR COUNCIL CONSIDERATION

1. Minor Subdivision No. 56 - Mary Parker and Peggy Wilcox - Final Approval

All requirements as outlined in Council minutes dated November 21, 1978, having been complied with, it is the recommendation of the Planning Department that final approval be given Minor Subdivision No. 56. On motion of Councilman Riordan, seconded by Councilman Martinez, this recommendation of the Planning Department was approved by AYE votes of all present.

2. Tract No. 10602 - C-Y Development Company - Final Approval

All requirements as outlined in Council minutes dated December 5, 1978, having been complied with, it is the recommendation of the Planning Department that final approval be given Tract No. 10602 with the following statement being recorded on the final map: "This subdivision is under the provisions of Ordinance No. 1680, City of Redlands. As such, no building permits shall be issued until a Residential Development Allocation Application has been submitted and the allocation approved by the City Council." On motion of Councilman Martinez, seconded by Councilman Roth, this recommendation of the Planning Department was approved by AYE votes of all present. Mr. Norm Langley explained that this approval permitted a necessary section of street between Marvin Avenue and Reservoir Road to be public thoroughfare.

PLANNING COMMISSION RECOMMENDATIONS - ADDENDUM

1. Resolution No. 3685 - Temporary Street Closures

Resolution No. 3685, a resolution of the City Council authorizing the Chief of Police to temporarily close City streets for special events where in the opinion of the local authorities such closure is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closures, was tabled to this evening's meeting on motion of Councilman Roth, seconded by Councilman Riordan.

2. Street Engineering Contract Award - W.E.S. Engineering Co.

A \$33,000.00 contract for preparation of plans for street improvements in Census Tract 80 was awarded to W.E.S. Engineering Company as approved by the office of Community Development on motion of Councilman Martinez, seconded by Councilman Roth. The total project is a CDBG grant in the amount of \$237,974.00.

3. Proposition "R" - Ordinance No. 1680 - Allocation Procedures - School Impaction

Councilman Roth made the following statement: "I would like to bring up a subject going back to the 'R' allocations. It has been brought to my attention in the last twenty-four hours that the School District is doing something that, in my view, is wrong. We all know about the school fee, and that has to do with Section 4 of Ordinance 1680. However, the School District in their consideration of allocation points for the first allocation period of 1980 has been extracting a fee from applicants and removing the negative ten points that they would otherwise be given in the other section.

"We had many discussions in the Proposition 'R' Committee that we had no intentions of having mitigating situations under the other sections; and there is, in my estimation no place in Proposition 'R,' nor in Ordinance 1680, that mitigation measures can be taken except under Section 4.

"I talked with Mrs. Dyke last night and she agreed with me. May I say also, to make things clearer, I do not feel that the Schools are doing anything intentionally to produce problems. I feel that this was their understanding, and I am not making any allegations otherwise. However, this is something that should not be allowed; it is a dangerous precedent to set, and it was not intended. If a development is in an area where there should be no building, or at least there should be negative points for a building, then that is the way it should be handled because otherwise you are going against the spirit of Proposition 'R' also."

Mayor Gorman stressed that Section 2 and Section 4 of Ordinance 1680 had a distinct difference and should not be allowed to merge together; that one deals with the allocation process and the other deals with impactions, mitigation, and emergency situations. He added that when this matter was discussed at last Friday's meeting he and Mr. DeMirjyn held with the School District representatives, the members felt they were entering into legally binding contracts that they could enforce later on.

Planning Director Schindler explained that three of the twenty applications received from the School District had a statement on the bottom agreeing to pay an impaction fee, and these did not get a minus-ten-point penalty. On this basis, he called the other applicants, and most of them agreed to do the same thing. He clarified that every one of the twenty received an impaction penalty.

Dr. Roth questioned whether or not it was on the basis that the high school was impacted. Mr. Schindler replied that it was not stated.

Mr. Schindler pointed out that Ordinance 1680 requires that each agency that provides a service must file a letter stating that this allocation will not impact their services, and added that he had, this afternoon, received a letter from Assistant Superintendent Bill Gibson which stated that the schools were impacted and referenced back to the original school resolution. There were no schools identified.

Mr. Schindler also reminded Council of the time schedules. Public hearing is advertised for June 26 as the first allocation of 1980, with the actual allocation date to be no later than July 15; the second allocation has already begun with the closing date of May 15, and the allocation date of August 15. He added that any change would need to be made by resolution.

PLANNING COMMISSION RECOMMENDATIONS - ADDENDUM (Continued)

Mr. Gorman commented that in the discussion last Friday, the District members announced that at the School Board meeting on the second Tuesday of June, they would request the administration to provide, for the meeting of the fourth Tuesday, "new information and to hold public hearing at that time to discuss for the public's purposes and plead their case on school impaction."

He added, "I think it would be an act of bad faith if we did something that otherwise preempted the school board's ability to hold their meetings. My personal feeling is there is sufficient cloud hanging over this whole question that perhaps we should be careful about how we move on this issue right now."

City Manager Christiansen recommended moving the dates for both allocations to benefit the School Board and in the event the allocations are completed early, the dates could be set back.

Following discussion, Councilman Roth made the following motion: "I move that we invalidate the current numerical scoring by the School District, and in the process inform them that there will be no mitigation under the Point Allocation System. I would also request the School Board to give a numerical scoring in accordance with Section 2, Paragraph 9, Subsection 'e' of Ordinance 1680 as amended by Ordinance 1717. I also move that the dates of allocations be combined and moved to not sooner than September 15."

Councilman Riordan asked that a request be included in the motion for "a data base for their declaration of impaction." Council concurred that this should be a separate motion.

Councilman Riordan then seconded Dr. Roth's motion.

Mayor Gorman restated the motion, including that the point count submission by the School Board/School Administration was not prepared in accordance with the guidelines of Ordinance 1680, Paragraph 9; that Council is requesting that the count be revised and resubmitted in accordance with Paragraph 9; that Council believes Paragraph 9 specifically prohibits pre-mitigation, and with the date for the combined allocations be not sooner than September 15. Approval was given by the following roll call vote:

AYES: Councilmembers Riordan, Roth; Mayor Gorman
 NOES: None
 ABSTAIN: Councilmember Martinez
 ABSENT: Mayor DeMirjyn

Councilman Riordan then moved that the Council request in writing from the School Board, at the same time as their submittal of allocation points, an update on current enrollment and the validation for their declarations of impaction wherever they may be made, and it should be made on a school by school basis. Dr. Roth seconded the motion.

Mrs. Riordan then stated: "We have said very specifically 'within any school attendance boundary' continuously in discussions so I feel it is very important that in order to evaluate a project based on the school attendance using 9e that their data must support it, or not support it, whichever. And I think it's a simple thing to request and recognizing that we must use it in our evaluation because there may come a time when, at another point, there may be an area where we may consider overriding impaction if we disagree with it. I mean that it is something that exists for this Council and we always have to remain cognizant of our rights for that. That is my reason for my request."

Mayor Gorman said, "I might add that at least in some people's minds, they held that having once defined the approach in Section 2, that it automatically would be carried into Section 4. Clearly others have chosen not to interpret it that way; certainly that is probably an area which we should look to in the future to clarify."

Councilman Roth said, "I think there's a difference in the way this thing can be said. What we are talking about in Section 2 is a school attendance area; what we're talking about in Section 4 is the district-wide problem. I think it has to be looked at that way and we have to keep that in mind at all times."

Mrs. Riordan's motion then carried by the following roll call vote:

AYES: Councilmembers Riordan, Roth; Mayor Gorman
 NOES: None
 ABSTAIN: Councilmember Martinez
 ABSENT: Mayor DeMirjyn

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

COMMISSION REPORTS (Continued)

Park Commission - will meet Thursday, June 19, 1980, at 1:45 P.M. in the City Hall Conference Room.

Traffic Commission - will meet Thursday, June 19, 1980, at 2:00 P.M. in Council Chambers, Safety Hall.

Housing Commission - reported under Public Hearings.

Recreation Commission - will be dark during the summer but members are on call.

Public Works Commission - will meet Monday, July 14, 1980, at 3:30 P.M. in the City Hall Conference Room.

Historic and Scenic Preservation Commission - Councilman Riordan commended the commissioners for their many research projects. This commission meets at Provident Federal Savings and Loan on the second Tuesday of the month at 7:30 P.M.

Mayor Gorman remarked on the tremendous resource in the City Commissions and urged the public to utilize this means to present ideas and discuss projects with these Council representatives.

APPLICATIONS AND PETITIONS

Grant Street
Ingress/
Egress

Mr. Hank Peterson of 133 Grant Street complained of the barriers to traffic on Grant Street during Bowl presentations as it causes ingress/egress to his home to be difficult. Council discussed this at length with Mr. Peterson and explained that through traffic noise disturbed the pleasure of the many people attending Bowl concerts. Chief Brickley stated the barricade signs will be better located and the police will deal individually with each situation. He also reported that the Redlands Bowl Associates' President requested that the streets remain closed during performances.

Sidewalk
Sale

On motion of Councilman Riordan, seconded by Councilman Martinez, Council granted permission to the Business Improvement District and the Redlands Mall to hold a sidewalk sale on July 3, 1980, from 10:00 A.M. to 5:00 P.M. in conjunction with the Muscular Dystrophy Association.

Business
License
Waivers

On motion of Councilman Riordan, seconded by Councilman Roth, the Camp Fire Group "The Aloha Rosebud Adventures" was granted permission to sell refreshments at the Redlands Bowl on Friday, June 27, 1980, during the performances by Vera Lynn School of Dance. On the same motion, the Beta Rho Beta Chapter was granted waiver of a business license for sale of helium balloons at the July 4th celebration.

Bowl Fees

Bowl fees were waived for a performance of a Youth Band from Germany sponsored by Rotary District 533 to be held in September on motion of Councilman Martinez, seconded by Councilman Riordan. Fees for clean-up will be paid.

Resolution
No. 3685

On motion of Councilman Roth, seconded by Councilman Martinez, Resolution No. 3685, a resolution of the City Council authorizing the Chief of Police or his designate to erect temporary barricades, was adopted by AYE votes of all present.

Temporary
Barricades

COMMUNICATIONS

Mr. Norman Monson, 1659 Country Club Drive, read a statement for the Friends of Redlands declaring a goal of maintaining and preserving the "Quality of Life" in Redlands by establishment of a Green Belt. He spoke of a recent Supreme Court ruling stating that this does not violate a property owners' rights. Mrs. Riordan remarked that Palo Alto is doing this by purchasing the lands needed. Parks Director MacKenzie reported that the hard work and foresight of the Park Commission may result in the City owning 74 acres of orange groves located within the City.

UNFINISHED BUSINESS

Ordinance No. 1727, an ordinance of the City of Redlands amending the the Redlands Ordinance Code and Ordinance No. 1585, Disposal of Small

UNFINISHED BUSINESS (Continued)

Ordinance No. 1727 Small Animals Disposal	Animals on Request of Owner, was given second reading of the title and adopted, with waiver of the reading of the ordinance in full, on motion of Councilman Martinez, seconded by Councilman Riordan, by the following roll call vote: AYES: Councilmembers Martinez, Riordan, Roth; Mayor Gorman NOES: None ABSENT: Mayor DeMirjyn
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NEW BUSINESS

Resolution No. 3684 Annexation No. 56 Tax	Resolution No. 3684, a resolution of the City Council accepting the ad valorem tax apportionment from the San Bernardino County Board of Supervisors in connection with Annexation No. 56, was adopted by AYE votes of all present on motion of Councilman Roth, seconded by Councilman Martinez.
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Ordinance No. 1729 Uniform Building Codes	Ordinance No. 1729, an ordinance of the City of Redlands amending Chapter 84 of the Redlands Ordinance Code and adopting the 1979 Editions of the Uniform Building, Plumbing, Mechanical, Housing, and Solar Energy Codes and the 1978 Edition of the National Electric Code, was given first reading of the title and laid over under the rules with public hearing set for July 1, 1980, at 7:00 P.M.
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CITY MANAGER

Bid Call Smiley Library	The City Clerk was authorized to advertise for bids for the A. K. Smiley Public Library exterior preservation by AYE votes of all present on motion of Councilman Martinez, seconded by Councilman Riordan. Bids will be opened on July 17, 1980, at 2:00 P.M., and will be referred to the Office of Community Development for review and award will probably be at the second Council meeting in August.
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Maintenance Agreement CDBG Funds	On motion of Councilman Martinez, seconded by Councilman Riordan, Council authorized by AYE votes of all present the Mayor to execute an agreement which would provide for the installation of fire hydrants in the Mentone area and water lines and fire hydrants in the Bryn Mawr area; funding will be provided under the Community Development Block Grant Program and the facilities are owned and will be maintained by the City of Redlands.
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Declaration of Dedication	A Declaration of Dedication from Parkwest Development, Inc. was accepted by AYE votes of all present for five feet of street dedication on First Street as required by the Public Works Department in connection with Conditional Use Permit No. 316 on motion of Councilman Roth, seconded by Councilman Riordan.
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Claim	On motion of Councilman Martinez, seconded by Councilman Roth, a claim against the City in the names of Hansen, Petty, and Hester was denied in routine manner and referred to the City's insurance carrier.
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Bills and salaries were ordered paid as approved by the Finance Committee. There being no further business, Council adjourned, on motion, at 8:35 P.M. Next regular meeting, July 1, 1980.

ATTEST:

Peggy A. Mosley
City Clerk

Charles DeMirjyn
Mayor of the City of Redlands