

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on August 19, 1980, at 7:00 P.M. Planning Commission Items 3:00 P.M.

PRESENT

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

- Chris C. Christiansen, City Manager
- Bruce C. Atkins, Attorney
- Lorrie Poyzer, Deputy City Clerk
- Ted Randolph, Redlands Daily Facts
- Sam Nicholas, The Sun

ABSENT

None

BIDS

Bid Award

Sixth Street
and
Parking Lot
No. 6
Improvement

The meeting was opened with the pledge of allegiance, followed by the invocation by Lt. James E. Grennell of the Salvation Army.

Award of the contract for the exterior preservation of the A. K. Smiley Public Library made at the August 5, 1980, Council meeting should be made to "C.P.W., Inc." rather than Claude P. Williams. With this amendment, minutes of the regular meeting of August 5, 1980, were approved.

The following bids were opened and publicly declared at 10:00 A.M. this date in the office of the City Clerk for the improvement of Sixth Street and Parking Lot No. 6:

B. J. Construction San Bernardino, California	\$31,474.20
Kruger-McGrew Construction Co. San Bernardino, California	\$29,978.00
Matich Corporation Colton, California	\$38,191.00
Smith Engineering & Construction Colton, California	\$31,415.00

At this time, it is the recommendation of the Department of Public Works that award be made to Kruger-McGrew Construction Company as this is the lowest, qualified bid. On motion of Councilman Martinez, seconded by Councilman Gorman, unanimous Council approval was given to the award of the improvement of Sixth Street and Parking Lot No. 6 to Kruger-McGrew Construction Company in the amount of \$29,978.00, and appropriations of \$12,000.00 from the Gas Tax Fund, \$20,000.00 from the General Reserve Fund with any unused amount to be returned to the proper fund were approved.

ORAL PETITIONS FROM THE FLOOR

School
Mitigation
Fees

Don Wallace, 1251 Lugonia Avenue, addressed Council regarding action at the last Council meeting to study the school mitigation fees and requested that Resolution No. 3645 be suspended until this study is completed.

Mayor DeMirjyn turned the gavel over to Vice Mayor Gorman and stated it was his contention under Proposition "R" and ensuing legislation that one to four units should be allowed without any type of control and moved to suspend any mitigation fees on one to four units. Motion failed for lack of a second.

Councilman Roth stated he felt any house contributed to the school impact problem, but an individual building a home for his own use did not involve that many children, and moved to allow the owner-built houses released from the obligation of this fee. Motion seconded by Councilman DeMirjyn. Attorney Atkins advised Council to amend this motion by not requiring a certificate of mitigation from the School District for an owner-builder who intended to occupy the dwelling and require a certificate signed by the owner of their intent to occupy the premises for a given period of time to be determined by Council.

Council discussed this at length with Councilman Riordan urging this consideration be postponed until an ordinance is prepared in order to preserve the City's legal integrity. In answer to Vice Mayor Gorman's question regarding inforcement of the owner occupying the house, Attorney Atkins was not sure at this time what remedies were available for enforcement and suggested Council direct staff to study this further and draft a resolution for the next meeting to incorporate the intent of this motion.

ORAL PETITIONS FROM THE FLOOR (Continued)

School
Mitigation
Fees

Mr. DeMirjyn and Dr. Roth agreed the intent of the individual to occupy the house was sufficient. A clarification of the definition of owner-built was made by Dr. Roth to mean an owner either built the house himself or hired a contractor to do the work.

The motion, as amended, to not require a certificate of mitigation from the School District for an owner-builder intending to occupy the dwelling failed by the following roll call vote:

AYES: Councilmembers DeMirjyn and Roth
NOES: Councilmembers Riordan and Gorman
ABSTAIN: Councilmember Martinez
ABSENT: None

Mr. R. A. Moore, 1740 Rossmont Drive, spoke again to Council regarding the unfairness of the school mitigation fee in different areas within the School District, and asked Council to re-consider amending the resolution to include the exception for a single home.

Nite Owl
Bar

Elaine Hicks, 614 West Colton Avenue, requested a year's extension of the fencing and paving requirments at the Nite Owl Bar. Mayor DeMirjyn pointed out these requirements are the responsibility of the owner and the importance of a wall between a business and residence. Councilman Martinez stated he wanted to clarify his concerns and intention to not support any waivers for this business. A number of residents have voiced objections and he felt very strongly that a residential area was not an appropriate location for a bar. Councilman Roth commented time extensions were granted for the good of the public, but that this business was a constant problem.

COMMISSION REPORTS

Present:

Planning Commission recommendations as considered by the City Council at a regular meeting thereof held on August 19, 1980, at 3:00 P.M.
Councilmembers Gorman, Martinez, Riordan, Roth; Mayor DeMirjyn, City Attorney Edward F. Taylor

1.

R.P.C. No. 521 - General Plan Amendment No. 23-A - City Council, City of Redlands

That R.P.C. No. 521, a resolution of the Planning Commission recommending adoption of Amendment No. 23-A to the General Plan to change the designation from Hillside Residential to Administrative/Professional for property located on the east and west sides of Ford Street, south of Oak Street and the I-10 Freeway, be approved.

Councilman Riordan stated she was satisfied this was a workable agreement; that the committee consisting of area residents had come up with an adequate resolution; and that this does represent a consensus of the committee. She then moved for approval of R.P.C. No. 521, General Plan Amendment No. 23-A. Councilman Martinez seconded.

Councilman Roth questioned if this amendment would open the door for commercial development along Ford Street. Community Planning Director Schindler responded anybody has the privilege to apply for a general plan amendment, but the Council has the ultimate authority to expand or amend the boundary of this amendment. He pointed out that this amendment will not be effective until a specific plan is adopted.

Following discussion, R.P.C. No. 521 was unanimously approved, and Resolution No. 3703, a resolution of the City Council setting the public hearing on Amendment No. 23-A to the General Plan for 7:00 P.M. on September 2, 1980, was authorized.

2.

R.P.C. No. 531 - Specific Plan No. 25 - Tentative Tract No. 11535 - C. G. Engineering

That R.P.C. No. 531, a resolution of the Planning Commission for adoption of Specific Plan No. 25 for approximately seventy acres of property located between Lugonia Avenue, the I-10 Freeway, a line 1,300 feet east of California Street, and a line 1,280 feet west of Alabama Street, be approved,

PLANNING COMMISSION RECOMMENDATIONS (Continued)

and that the tentative map of Tract No. 11535, proposed at the same location, 45 lots, C-M Zone, be approved subject to the recommendations of all departments as outlined in Planning Commission minutes dated August 12, 1980, deleting No. 2 on page six of the text and renumbering the remaining paragraphs.

Pat Meyer of C. G. Engineering addressed Council requesting consideration of waiver of the sidewalk requirements since these are basically on-site businesses which will generally have very light pedestrian traffic. City Attorney Taylor recommended the City's insurance carrier review this type of situation if the sidewalk requirements are waived. Community Development Director Schindler told Council one of the alternatives offered the applicant was to make the streets private to be maintained by the property owners. Russ Hatle, president of Community Consultants, felt that the on-site parking eliminated the necessity of sidewalks but appreciated the liability question. Mr. Hatle stated they were agreeable to the street dedication but requested Council permission to discuss with the Public Works Department the possibility of putting in 36 inch wide sidewalks rather than the required five feet. Council concurred with the request.

On motion of Councilman Martinez, seconded by Councilman Roth, Tentative Tract No. 11535 was unanimously approved as recommended by the Planning Commission. On motion of Councilman Gorman, seconded by Councilman Riordan Resolution No. 3704, a resolution of the City Council setting a public hearing on Specific Plan No. 25, was authorized.

3. Minor Subdivision No. 88 and Lot Line Adjustment No. 170 - Scott Hutson

That the request for approval of Minor Subdivision No. 88 with a lot line adjustment for property located on the northeast corner of Margarita Drive and Sunset Drive, R-E Zone, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated August 12, 1980. On motion of Councilman Riordan, seconded by Councilman Roth, these recommendations of the Planning Commission were approved with Councilman Gorman abstaining.

4. R.P.C. No. 532 - Zone Change No. 224 - Cary P. Stockton

That R.P.C. No. 532, a resolution of the Planning Commission for adoption of Zone Change No. 224, a change of zone from A-1 (Agricultural) District to R-1 (Single Family Residential) District for approximately 9.5 acres of property located on the northeast corner of Occidental Drive and San Bernardino Avenue, be approved. On motion of Councilman Riordan, seconded by Councilman Gorman, R.P.C. No. 532 was approved by the City Council by the following roll call vote: AYES: Councilmembers Gorman, Martinez, Riordan, Roth; NOES: Mayor DeMirjyn, ABSENT: None; and Ordinance No. 1732, an ordinance of the City of Redlands establishing Zone Change No. 224, was introduced and laid over under the rules with public hearing set for September 2, 1980, at 7:00 P.M.

5. Conditional Use Permit No. 328 - Sante Fe Federal Savings and Loan Assn.

That the request for a drive-thru savings and loan facility, located on the southwest corner of Eureka Street and Redlands Boulevard, C-4 Zone, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated August 12, 1980, and waiving the requirement for the three foot dedication on the alley south of the property, and holding in abeyance development of all landscaping and/or walls until approved by the Planning Director and the Parks Director prior to the occupancy permit issuance. Council briefly discussed the alley dedication and area available for stacking the drive-thru window lane. On motion of Councilman Martinez, seconded by Councilman Riordan, this recommendation of the Planning Commission was given unanimous Council approval.

6. Minor Subdivision No. 94, Lot Line Adjustment No. 176, and Lot Line Adjustment No. 177 - Wayne Hutchinson

That the request for approval for a subdivision of 3.3 acres of land into four lots with two lot line adjustments for property located on the east side of Terracina Boulevard, 150 feet south of Bellevue Avenue, R-S Zone, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated August 12, 1980. On motion of Councilman Gorman, seconded by Councilman Riordan, these recommendations of the Planning Commission were unanimously approved.

PLANNING COMMISSION RECOMMENDATIONS (Continued)

7. R.P.C. No. 533 - Ordinance Text Amendment No. 141 - City of Redlands

That R.P.C. No. 533, a resolution of the Planning Commission for adoption of amendments to Sections 19.20: R-2-3000 Zone; 19.84: R-2-2000 Zone, and 20.20: R-3 Zone of Zoning Ordinance No. 1000 pertaining to property development standards, be approved. Mr. Schindler summarized the changes in the regulations as contained in Planning Commission minutes dated August 12, 1980. On motion of Councilman Martinez, seconded by Councilman Gorman, R.P.C. No. 533 was unanimously approved by the City Council, and Ordinance No. 1733, an ordinance of the City of Redlands adopting these amendments to Zoning Ordinance No. 1000, was introduced and laid over under the rules with public hearing set for September 2, 1980, at 7:00 P.M.

PLANNING ADDENDA

1. Loma Linda/West Redlands Community Plan - County of San Bernardino

Council discussed this community plan prepared by the County of San Bernardino which will replace the current zone classification for the area in accordance with the County's new Development Code procedures and agreed that a study session would be desirable when the final draft is available. On motion of Councilman Martinez, seconded by Councilman Riordan, Council unanimously approved the Planning Commission's recommendation to send a letter to the County Planning staff outlining concerns as stated in Planning Commission minutes dated August 12, 1980.

OTHER PLANNING ITEMS FOR COUNCIL CONSIDERATION

1. 1979 Building Permit Allocation

Mr. Schindler, Planning and Community Development Director, explained to Council that Vanguard Companies of Rancho Cucamonga received a building permit allocation of 38 units for Tract No. 10083 in the 1979 allocation awards. The award should have been made to their adjacent Tract No. 10084 which is totally dependent on the completion of Tract No. 10083. Mr. Schindler then recommended that the 38 building permits awarded to Vanguard National Builders (R.D.A. No. 21) be transferred to Vanguard Builders, Inc. (R.D.A. No. 19). Council unanimously approved this recommendation on motion of Councilman Riordan, seconded by Councilman Roth.
2. Tract No. 9828 - STA-JO, Inc. - Time Extension

On motion of Councilman Gorman, seconded by Councilman Riordan, a time extension of one year was unanimously given for Tract No. 9828.
3. Temporary Office Trailer - Jim Glaze, Inc.

Mr. Jim Glaze has requested permission to place a trailer on the westerly end of his property to be used as a sales office for a Chrysler-Plymouth franchise which he has recently acquired. On motion of Councilman Martinez, seconded by Councilman Riordan, Council unanimously approved this request on the condition a performance bond or cash be required of the Glaze organization to insure the trailer's removal by September 1, 1981.

Attorney Taylor left Council Chambers.
4. Request to Exempt Tract No. 9870 from Proposition "R" - Thomas Miller, Sr. and Thomas Miller, Jr.

Planning Department staff prepared a lengthy history on Tract 9870 as was requested at the last Council meeting. Community Development Director Schindler suggested a possible solution to this situation might be to approve three standard lots and have the larger remaining lot subject to Proposition "R." Councilman Riordan sympathized with the Millers but felt the tract should not be exempt from the allocation procedure.

Messrs. Miller realized Council could not set a precedent by exempting their tract even though they were in an extremely unique position. They again mentioned the improvements they have made to the area including installation of a sewer system and reduction of fire hazard; and stated the street lights and paving and storm drain will be completed by this fall.

Council discussed this at great length with the applicants and agreed to continue this item to September 2 in order to consult with the attorney.

Park Commission - will meet September 18, 1980, in the Conference Room in City Hall at 1:45 P.M.

Historic and Scenic Preservation Commission - Councilman Riordan thanked the secretary of the commission for providing Council with information on their recent decisions.

COMMISSION REPORTS (Continued)

Appointments	<u>Appointments</u> - On motion of Councilman Roth, seconded by Councilman Riordan, Dr. Lowell Linden was appointed to replace John Foerster and Guay Wilson reappointed to four year terms on the Personnel Advisory Board. On motion of Councilman Roth, seconded by Councilman Riordan, the following people were reappointed: Board of Parking Place Commission: Clare H. Day, Bill Blatnick, and Henry Lowy for three year terms; Housing Commission: Gertrude Hagum for a four year term; and Public Works Commission: John Egan for a three year term.
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APPLICATIONS AND PETITIONS

Solicitation Request	The request by International Society for Krishna Consciousness for permission to solicit in the business district from September 1 to December 1, 1980, was denied on motion of Councilman Riordan, seconded by Councilman Roth, by the following roll call vote:
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	AYES: Councilmembers Gorman, Riordan, Roth; Mayor DeMirjyn NOES: Councilmember Martinez ABSENT: None
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Waiver	On motion of Councilman Martinez, seconded by Councilman Roth, Council granted a waiver of a business license for the American Red Cross for their annual Flea Mart scheduled for November 1 and 2, 1980.
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Lincoln Street Railroad Crossing	A petition containing 1,344 signatures has been filed with the City requesting immediate action in forcing Santa Fe Railways to install adequate and safe warning devices on their Lincoln Street crossing. Mr. Francis L. Allen addressed Council stating a serious problem exists at this blind railroad intersection and requested assistance from Council. Also speaking were Dennis Nodine, 1505 Margarita, and Rena Furtado, 620 Lincoln. City Manager Christiansen stated the City has been and will continue earnestly to try to get proper safety devices at this location but because of pending litigation did not wish to comment further. Council directed the City Manager to inspect the trees and shrubbery at this location, contact the Santa Fe Railways in the morning, and schedule this item for the next Traffic Commission meeting.
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Waiver	The Friends of Smiley Library was granted a waiver of business license to sell books at their annual book fair scheduled for September 26 and 27, 1980, on motion of Councilman Martinez, seconded by Councilman Riordan.
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COMMUNICATIONS

	Mayor DeMirjyn announced that on September 5, in conjunction with the Moonlight Sale, native Charlie Beal will return to Redlands and with the Inalnd Empire All Stars will present a concert in the evening.
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UNFINISHED BUSINESS

Resolution No. 3702 Grant Application	Resolution No. 3702, a resolution of the City Council approving the application for grant funds under the Roberti-Z/berg Urban Open-Space and Recreation Program for an automatic sprinkler system in the Jennie Davis Park and the center strip on Brookside Avenue, was unanimously adopted on motion of Councilman Martinez, seconded by Councilman Riordan.
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Library Color	Stating Councilmembers have received a great deal of written and verbal input on the subject of color for the library, Councilman Martinez moved to instruct the contractor to paint the A. K. Smiley Public Library the color it is now, cream-color, or anything near that would blend with the environment. Turning the gavel over to Vice Mayor Gorman, Mr. DeMirjyn seconded the motion.
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UNFINISHED BUSINESS (Continued)

Library
Color

John Nimmo, 911 Church Street, read a letter from the Redlands Area Historical Society expressing its opinion to restore the library building as closely as possible to the original architect's vision. Karen Wilmot, vice president of the City's Historic and Scenic Preservation Commission, shared paint chips from the library showing the original color. Russ Wilmot, 10 East Cypress Avenue, spoke in favor of returning to the red color. Mrs. Michael McDowell, secretary of the Historic and Scenic Preservation Commission, pointed out the City's responsibility in regards to the library being listed in the National Register of Historic Property and stated the public has the right to see the building as it was. Walter Wornhardt, also of the Historic and Scenic Preservation Commission, agreed with Mrs. McDowell stating the National Trust expects the buildings to be restored back to their original design or as close a possible.

William Moore, president of the Library Board of Trustees, reminded Council of their letter with the Board's decision to retain the cream color. He pointed out the Moorish look has changed over the years and that the building is not the same as was conceived originally; that the people of Redlands are comfortable with it and appreciate it as it is; and expressed hope this would be taken into consideration.

Councilman Roth stated he liked red brick buildings and had felt strongly the library should be returned to its original color since he did not like the lack of contrast with the color that is on it now; however, after noting the condition of the brick, he felt another color could be used, such as a light tan. Councilman Gorman also commented he liked brick buildings but that the texture will not look like brick after the preservative is applied. He pointed out the sandstone, granite, cut stone, and other decorative features should not be painted over and the color should contrast with these items. His personal preference would be a light-grayish color. Councilman Riordan noted the problem was a matter of personal preference which is the difficulty. Understanding the sandblasting will change the texture, Mrs. Riordan felt she would like to wait until the sandblasting is completed and then make a decision. Presently, her leanings are towards the brick red but she said this was pure emotion.

At this time, Council voted on Councilman Martinez' motion which failed by the following vote:

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| AYES: | Councilmembers DeMirjyn and Martinez |
| NOES: | Councilmembers Riordan, Roth, and Gorman |
| ABSENT: | None |

Mr. Christiansen read the description of the library as listed in the National Register which made no reference to color. Councilman Gorman pointed out the key issue is the difference between preservation and restoration and believed this project was originally for preservation, and the condition of the brick makes it difficult to believe it can be restored.

Jan Mrozinski-Crooker, 234 South Eureka Street, was appalled that the library has been sandblasted since this decreases the brick life and she felt the bricks should have been allowed to weather naturally.

UNFINISHED BUSINESS (Continued)

Library
Color

Councilman Roth moved to direct staff to write the National Trust and find out what their requirements and conditions are if we change the color or leave it as is or try to restore it to its original condition. Also wishing to know the difference between restoration and preservation, Councilman Riordan seconded the motion and motion unanimously carried.

NEW BUSINESS

Ordinance
No. 1731
Traffic
Signs and
Markings

Ordinance No. 1731, an ordinance of the City of Redlands amending the Redlands Ordinance Code by the addition of Section 67716, Required Obedience to Traffic Signs or Markings, was given first reading of the title and laid over under the rules with second reading set for September 2, 1980, at 7:00 P.M.

Resolution
No. 3705
Citrus
Grove
Assessments

On July 3, 1979, Council authorized staff to arrange for removal of dead citrus trees if property owners failed to take appropriate action after proper notification. At this time, staff requests approval of Resolution No. 3705, a resolution of the City Council providing for the assessment of costs resulting from the abatement of citrus groves which constitute a fire hazard. On motion of Councilman Martinez, seconded by Councilman Riordan, Resolution No. 3705 was unanimously adopted.

Resolution
No. 3706
Salary

In accordance with action taken at the June budget session, Council unanimously approved Resolution No. 3706, a resolution of the City Council amending the salary schedule by changing one position of Park Maintenance and Repair Helper (Range 34 1/2) to Park Maintenance and Repair Worker (Range 35 1/2), on motion of Councilman Martinez, seconded by Councilman Gorman.

Resolution
No. 3707
Swimming
Pool
Permit
Fee

Mr. Bob Dale, Director of Building and Safety, has reported to Council that with the adoption of the new Uniform Buildings Codes, the combination of permits for pools raised the costs of a \$12,000 pool from \$108.00 to \$214.00 and recommends a fee of \$125.00 for the inspection of all swimming pools which would cover the City's inspection costs. On motion of Councilman Martinez, seconded by Councilman Riordan, Resolution No. 3707, setting permit fee of \$125.00 for swimming pools, was unanimously adopted.

CITY MANAGER

Grant
Deed

On motion of Councilman Martinez, seconded by Councilman Roth, Council unanimously accepted a grant deed from Charles C. Parker, et al, for the right-of-way on Sunset Drive and Wabash Avenue.

Funds
Park
Land

An additional appropriation from the Park Acquisition Fund to purchase 9.2 acres of a producing orange grove on the north side of Brookside Avenue, east of Terracina, for park purposes was unanimously approved on motion of Councilman Martinez, seconded by Councilman Riordan.

Funds
Employment
Office

An additional appropriation in the amount of \$1,127.91 from the General Fund to pay an outstanding bill from June, 1978, which was never received by the City, to the Employment Development Department was approved on motion of Councilman Gorman, seconded by Councilman Riordan, by the following roll call vote:

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

The City had been using Revenue Sharing Funds to pay some of the expense of the Employment Office which is located on Brookside Avenue.

CITY MANAGER (Continued)

Funds
Water
Department
Truck

An additional appropriation for approximately \$17,000.00 for the Water Department to purchase a 3/4 ton pickup truck with special truck bed and hydraulic water valve operator equipment for the implementation of a water valve exercising program to insure the proper operation of valves throughout the water system during emergency conditions was unanimously approved on motion of Councilman Riordan, seconded by Councilman Roth.

Outside
Sewer
Connection

On motion of Councilman Gorman, seconded by Councilman Riordan, an outside the city sewer connection to a building owned by Calvary Chapel, located at the south west corner of Alabama Street and San Bernardino Avenue, was unanimously approved.

Airport
Lease
Amendments

In order to comply with current Federal regulations and provide for an affirmative action program and other non-discriminatory actions, Council unanimously approved the first airport lease amendment with Redlands Mutual Enterprises and Redlands Aviation Corporation and authorized the Mayor to sign on behalf of the City on motion of Councilman Martinez, seconded by Councilman Riordan.

Encumbrances

On motion of Councilman Roth, seconded by Councilman Gorman, Council unanimously approved encumbrances to cover outstanding obligations at the end of the fiscal year 1979-80 in the amount of \$826,284.00.

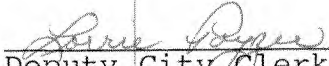
Mobile
Home
Rent

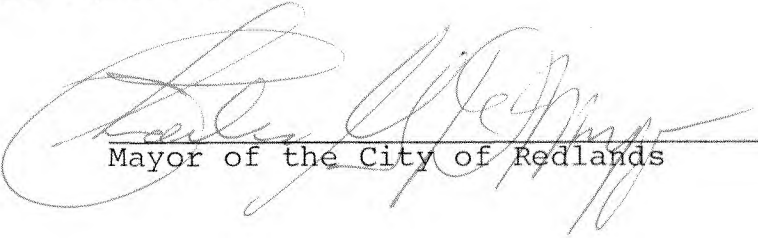
Mayor DeMirjyn announced he will be meeting with the attorney for the owners of the Orange Grove Mobile Estates Monday afternoon for further discussion on the 18.3 percent rent increase which is to be effective September 1. If an agreement is not reached that afternoon, it will be necessary for Council to meet that evening. Council concurred to adjourn to Monday, August 25, 1980, at 7:00 P.M.

Bills and salaries were ordered paid as approved by the Finance Committee. There being no further business, Council adjourned, on motion, at 8:50 P.M. to Monday, August 25, 1980, at 7:00 P.M.

Next regular meeting, September 2, 1980.

ATTEST:


Deputy City Clerk


Mayor of the City of Redlands