

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on May 5, 1981, 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
Edward F. Taylor, City Attorney
Lorrie Poyzer, Deputy City Clerk
Ted Randolph, Redlands Daily Facts
Sam Nicholas, The Sun

ABSENT

None

The meeting was opened with the pledge of allegiance followed by the invocation by Reverend J. D. Wadley of the Redlands Church of the Nazarene.

Minutes of the regular meeting of April 17, 1981, were approved as submitted.

PUBLIC HEARINGS

Ordinance
No. 1749

Public hearing was advertised for this time and place on Ordinance No. 1749, an emergency ordinance of the City of Redlands amending Chapter 57 of the Redlands Ordinance Code setting animal fees by resolution rather than ordinance. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments concerning this amendment to the Code.

Night
Animal
Control

Mr. William Beyer, 819 Campus Avenue, strongly protested increasing dog license fees; requested that cats be licensed; and complained about dogs running loose at night. Mayor DeMirjyn explained that state law considers cats wild and suggested Mr. Beyer contact Senator Robert Presley and Assemblyman William Leonard. Council concurred to direct the Police Chief to assign animal control officers for night duty to control the dogs.

There being no further comments, the public hearing was declared closed, and Ordinance No. 1749, an emergency ordinance of the City of Redlands amending Chapter 57 of the Redlands Ordinance Code, was adopted with waiver of the reading of the ordinance in full, on motion of Councilman Riordan, seconded by Councilman Gorman, by the following roll call vote:

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

ORAL PETITIONS FROM THE FLOOR

Muscular
Dystrophy

Carol Porter, 700 Alvarado Street, requested Council permission for ERA-The Homesellers to sponsor a door-to-door solicitation of funds for Muscular Dystrophy on Sunday, May 17, 1981, from 1:00 to 5:00 P.M. Solicitors will wear their ERA uniforms and carry Muscular Dystrophy materials. On motion of Councilman Martinez, seconded by Councilman Gorman, permission was unanimously granted by Council.

Traffic
Enforcement
Area

Serpentine
Drive

Mr. Nicholas Guia, 1211 Serpentine Drive, requested Council study the blind corner on Serpentine Drive at Smiley Heights stating there had been a substantial increase in traffic and speed in the area. In response to Council's questions, Mr. Guia stated he had appeared at three Traffic Commission meetings, but that traffic studies did not indicate a serious problem. Director of Public Works John Donnelly stated this request had been made sometime ago, and at that time he did not know of a solution except for higher enforcement. he offered to look into the situation again. Councilman Martinez suggested

ORAL PETITIONS FROM THE FLOOR (Continued)

Bagpipe
Parade
and
Mass

the Police Department designate this area as a selected enforcement area and concentrate traffic control there for a period of time.

Diana Murray, 112 West Olive Avenue, requested Council permission for the Gordon Greys Pipe Band and Highland Dancers to hold a parade on Sunday, May 24, 1981, beginning at City Hall, proceeding up Cajon Street to Fern Avenue and ending at Trinity Episcopal Church on Fourth Street where a "Kirkin O' The Tartan," or bagpipe mass, will be held at 10:00 A.M. On motion of Councilman Riordan, seconded by Councilman Martinez, tentative approval was unanimously granted subject to staff review and application for a permit.

Evening
Kiwanis
Auction

Mr. Charles Leonard requested Council permission and waiver of fees for the Redlands Evening Kiwanis to hold a fund raiser auction on May 16, 1981, in the Santa Fe Depot. On motion of Councilman Martinez, seconded by Councilman Gorman, permission and waiver of fees for this auction was unanimously granted.

Seafood
Sale

Mr. Don Williams, 724 Robinhood Lane, owner of Trans Alaska Seafood, Inc. appealed for reconsideration of Council's decision of April 7, 1981, for a permit to hold a truckload seafood sale sponsored by the American Red Cross. He explained a date is pre-selected by the group, the seafood is ordered ahead, and then picked up by individuals. Mayor DeMirjyn felt Council must protect the local merchants who pay for business licenses and taxes. Councilman Roth stated he had asked people of "every walk of life" about door-to-door solicitations, especially for charitable organizations, and the over-whelming responses were, "I don't like people knocking on my door." Councilman Gorman said he had had the same answers. Councilman Martinez concurred for the same reasons.

COMMISSION REPORTS

Present:

Planning Commission recommendations as considered by the City Council at a regular meeting thereof held on May 5, 1981, at 3:00 P.M.

Councilmembers Gorman, Martinez, Riordan, Roth; Mayor DeMirjyn, Attorney Bruce C. Atkins

1.

Tentative Tract No. 11856 - Henry and Jan Van Mouwerik

That the application of Tentative Tract No. 11856 for the subdivision of 6.71 acres into eight lots for property located on the west side of Alabama Street, approximately 200 feet north of Citrus Avenue, I-P Zone, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated April 28, 1981; Planning Commission also recommended that the streets remain public; maintenance should be accepted by the City on any development as an inducement to future development; and acknowledged to the engineer the access onto Alabama Street should remain as the Planning Department has recommended.

Council discussed public versus private streets at length, concurring that each project should be considered individually. Public Works Director Donnelly outlined maintenance costs; i.e.: cleaning runs \$6.00 per curb mile, a street light averages \$7.00 per month, and parkway trees vary according to care; he stated it is usually several years before repairs are needed. Attorney Atkins pointed out if the City deviates from usual standards and an accident occurs, the City could have problems in court. Councilman Riordan suggested a staff study be made on the feasibility of assessment districts.

On motion of Councilman Riordan, seconded by Councilman Martinez, Council approved Tentative Tract No. 11856 as recommended by the Planning Commission with the exception of a determination of streets until Council decides on a street policy and requested a report from staff on assessment districts by the following vote:

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

PLANNING COMMISSION RECOMMENDATIONS (Continued)

2. Tentative Tract No. 8594 (Revised) - Apple Builders and KKK Corporation

That the request to consider a revised map for Tentative Tract No. 8594 (Revised) to include Phases I and II for the subdivision of 5.06 acres into fourteen single family residential lots to be located between Cypress and Clifton Avenue, approximately 103 feet west of Harding Drive, R-S Zone, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated April 28, 1981, and adding to Planning and Community Development Department Recommendation No. 11 to read: Future homes on lots 1 and 14 shall front on San Jacinto Street. On motion of Councilman Roth, seconded by Councilman Gorman, this recommendation of the Planning Commission was given unanimous Council approval.
3. Minor Subdivision No. 106 - Kenneth R. King

That the request for approval for the subdivision of 1.20 acres into two parcels for property located between Fifth and Sixth Streets, approximately 170 feet south of Stuart Avenue, M-1 Zone, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated April 28, 1981, and allow the applicant to sign an Improvement Agreement for Engineering Recommendation Nos. 6, 7, 8, 9, 10, 11, and 13. On motion of Councilman Roth, seconded by Councilman Gorman, this recommendation of the Planning Commission was given unanimous Council approval.
4. Minor Subdivision No. 107 - Guardian Associates

That the request for approval for the subdivision of 5.15 acres into three parcels of property located between Coulston and Lugonia Avenues, 150 feet east of Alabama Street, C-M Zone, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated April 28, 1981. On motion of Councilman Riordan, seconded by Councilman Roth, this recommendations of the Planning Commission was given unanimous Council approval.
5. Drive-thru Service Facilities

On motion of Councilman Roth, seconded by Councilman Gorman, Council directed staff to study drive-thru-service facilities as to gas usage versus exhaust pollution, and study the feasibility of an ordinance requiring the posting of signs to turn off engines while waiting in line.
6. R.P.C. No. 543 - Specific Plan No. 23 - City of Redlands

That R.P.C. No. 543, a resolution of the Planning Commission for adoption of Specific Plan No. 23 for 106 acres of land generally located in the area between Ford Street, the I-10 Freeway, Wabash Avenue, and East Sunset Drive North, be approved subject to the recommendations of all departments and including the necessary corrections as contained in Planning Commission minutes dated April 28, 1981.

Vice Mayor Gorman asked that Council consider re-wording of portions of the Specific Plan as follows:

II INTENT AND PURPOSE

It is the intent and purpose of the plan to establish compatible land uses and standards in order to achieve a coordinate development relationship between such uses and the surrounding areas. It is further the intent, unless otherwise specified herein, that all development standards applied not be more permissive than those of the underlying zone, which in this case is R-E (Residential Estate). Coordination of water, sewer, drainage and circulation facilities (including accessment easement) with adjacent properties shall be a required factor in all project considerations.

VI PERMITTED USES AND PROPERTY DEVELOPMENT STANDARDS

9. Grading

All cut and fill slopes shall not exceed 3 to 1 (l.e.) three horizontal to one vertical. All other applicable provisions of the Redlands Grading Code shall apply. It is intended that the basic land forms for the entire plan area be maintained with a minimum of grading and to the maximum extent possible existing tree stands be retained.

PLANNING COMMISSION RECOMMENDATIONS (Continued)

VII. FORD STREET CIRCULATION AND ACCESS CONTROL

There shall not be more than one (1) vehicular access-way onto Ford Street for each lot existing on the adoption date of this Ordinance except that residential lots having frontage on a minor street shall not take access from Ford Street. The permitted location shall be determined by the City and may be referred to the Traffic Commission for a recommendation.

Council discussed these points with John Moore and Pat Meyer in detail; all parties agreed these changes were worthy for added emphasis to be included in the Specific Plan.

Mr. Gorman then drew attention to the Storm Drain System section on Page 7 of the La Colina Specific Plan Supplement prepared by C G Engineering stating hydrological studies would be needed before a final determination was made on drainage. Following discussion with John Moore and Public Works Director John Donnelly, Council concurred that the second sentence of this paragraph should be deleted.

Director of Planning and Community Development Schindler clarified several points for Mrs. Temi Atkinson which are covered in the Specific Plan. Mrs. Atkinson stated she felt that under Uses Permitted by Conditional Use Permit, mortuaries and social and fraternal organizations could be a problem with traffic. Council and Mr. Moore agreed to exclude these two uses from the Specific Plan.

On motion of Councilman Gorman, seconded by Councilman Roth, R.P.C. No. 543 with the above changes was unanimously approved, and Ordinance No. 1750, an ordinance of the City of Redlands adopting Specific Plan No. 23, was introduced, given first reading of the title, and laid over under the rules with public hearing set for May 19, 1981, at 7:00 P.M.

7. Street Vacation No. 72 - Frank Schaefer

That the request for the vacation of portions of Marian and Sixth Avenues at the most westerly terminus of Sixth Avenue be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated April 28, 1981. On motion of Councilman Riordan, seconded by Councilman Roth, Resolution No. 3752, a resolution of the City Council showing intent to vacate portions of Marian and Sixth Avenues and setting a public hearing on this vacation for May 19, 1981, at 7:00 P.M., was unanimously approved.

OTHER PLANNING ITEMS FOR COUNCIL CONSIDERATION

1. Appeal - Conditional Use Permit 342 - Mohammed Hossain

The Planning Commission denied Conditional Use Permit No. 342 to convert an existing residence to a medical office due to on-site problems. On April 24, 1981, Dr. Hossain filed an appeal to this decision with the City Clerk's Office. On motion of Councilman Roth, seconded by Councilman Gorman, Council set a hearing date for this appeal on May 19, 1981.

2. Appeal - Occupancy Permit Requirements for 614 West Colton Avenue - Claire J. Kooiman

The Planning Commission approved the staff recommendation with some modification as contained in Planning Commission minutes dated April 14, 1981, for an occupancy permit for 614 West Colton Avenue. On April 24, 1981, an appeal to the requirement of construction of a six foot masonry wall on the property in accordance with Section 33.00 (E-2) of Ordinance No. 1000 was filed with the City Clerk's Office.

Mr. Gerrit Kooiman, attorney for the appellant, asked Council if the hearing could be held today as his client has a tenant who wishes to obtain his business license as soon as possible. Council stated they desired more time to study the occupancy permit requirements. In answer to City Manager Christiansen's query who would be responsible for the construction of the wall, Mr. Kooiman responded the owner would be.

On motion of Councilman Martinez, seconded by Councilman Gorman, Council unanimously approved the tenant to proceed with his application for a business license provided the owner comply with conditions that will be set by Council at the hearing which will be held May 19, 1981, at 7:00 P.M.; if the applicant does not comply with conditions as adopted by the City Council at the meeting of May 19, 1981, the business will then cease operation.

OTHER PLANNING ITEMS FOR COUNCIL CONSIDERATION (Continued)

3. County Housing Authority Request

In order to develop six units of public housing on the sites at 831, 835, and 840 Herald Street in Redlands, the Housing Authority of San Bernardino County needs approval from the City of Redlands to apply to HUD for funding. On motion of Councilman Gorman, seconded by Councilman Riordan, Council unanimously set June 2, 1981, at 7:00 P.M. for a public hearing to consider adoption of a resolution approving the application of the Housing Authority of San Bernardino County for a preliminary loan in the amount of not to exceed \$3,000 for surveys and planning in connection with low rent housing project of not to exceed six building units.

4. Nutrition Center Proposal

City Manager Christiansen read the following letter from Don Newcome, Interim Director of the Office of Community Development of San Bernardino County:

"A recent project proposal has been submitted to the Office of Community Development by the Redlands Nutrition Site Council. The group has proposed a senior nutrition center be funded with Community Development Block Grant Funds and to be located adjacent or near the Joslyn Senior Center.

"We have received a commitment for maintenance and operation of the proposed facility (up to \$500 per month) from the County Office on Aging. However, the Board of Supervisors has set a policy requiring the incorporated city in which capital improvements are made to assume the ultimate responsibility for the maintenance and operation of any such improvements. Although the policy requires the city to hold title and assume these responsibilities, it does not preclude the city from entering into any agreements with other agencies or groups to jointly share the expense.

"Please inform us if the City of Redlands has the resources and manpower to commit to a 4,000 square foot nutrition center. If you need further information to evaluate this project, please contact me at 383-2945."

Dick Zahn, 311 West Fern Avenue, expressed concerns about the location proposed by the Redlands Nutrition Site Council and the possible cost to the city. Pete Burt, President of the Nutrition Site Council, urged Council to re-consider this project. Councilman Roth reiterated the City cannot assume the financial responsibility now.

Councilman Martinez moved for the City to not get involved with this development at this time; motion seconded by Councilman Roth and carried unanimously.

5. Minor Subdivision No. 92 - Eleanor K. Sawyer - Final Approval

All requirements as outlined in Council minutes dated July 1, 1980 having been complied with, it is the recommendation of the Planning Department that final approval be given Minor Subdivision No. 92. On motion of Councilman Gorman, seconded by Councilman Riordan, this recommendation of the Planning Department was unanimously approved.

6. Resolution No. 3751 - De-Annexation - LAFC No. 2092

Councilman Gorman, seconded by Councilman Roth, moved to adopt Resolution No. 3751, a resolution of the City Council determining the amount of property tax revenues to be exchanged between and among the Cities of Redlands and Loma Linda and the County of San Bernardino resulting from the de-annexation of approximately four acres of property generally in the area west of California Street to Mountain View and north of Redlands Boulevard to the I-10 Freeway.

Mayor DeMirjyn explained the City has retained this parcel of land within the city limits over the years in the hope of annexation to Mountain View Avenue as commercial development extended in that direction. City Manager Christiansen explained that during the winter of 1979, the Local Agency Formation Commission approved a change in the sphere of influence from Redlands to Loma Linda for this area, and although this parcel of approximately four acres is in the city limits, it is in the sphere of influence of Loma Linda. Council discussed the ramifications and implications of services needed to be rendered if the City retained this parcel.

Larry Hendon, LAFC Staff Officer, urged Council support of the de-annexation from Redlands, and explained that a delay of two weeks would mean the entire application to LAFC would have to start over. Following discussion with Mr. Hendon, Councilman Roth moved to table action on this resolution until

OTHER PLANNING ITEMS FOR COUNCIL CONSIDERATION (Continued)

this evening's meeting to give Councilmembers a few hours to think on it. Motion seconded by Councilman Gorman and carried unanimously. (see Page 34)

NON-AGENDA ITEMS

1. Sign Code Advisory Committee - Moratorium Extension

Vice Mayor Gorman reported the Sign Code Advisory Committee had been meeting and working diligently but that it is a larger job than originally expected, and moved to extend the moratorium 90 days from the date of expiration; motion seconded by Councilman Roth. In answer to Councilman Riordan's question, Mr. Schindler said the committee recommendations would probably be ready soon. Council agreed time for staff to prepare the materials would also be required. The motion to extend the moratorium 90 days then passed by the following vote:

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

2. Slope Density Zoning

Vice Mayor Gorman recommended a study on reducing density in steep hillside areas of Redlands. Councilman Riordan moved for a staff study on slope density zoning. Motion seconded by Councilman Roth and carried unanimously.

3. Electric Street Signs

Vice Mayor Gorman re-stated his opposition to lighted street signs as he felt they are not necessary everywhere. His motion to adopt a policy to not use them and eliminate those being installed currently did not receive a second. Councilman Roth moved to have a staff report prepared outlining the need, cost to purchase and operate, and how many are to be installed in order for Council to study this item thoroughly. Motion seconded by Councilman Riordan and carried unanimously.

There being no further business, Council adjourned to an executive session.

Park Commission - will meet May 21, 1981, at 2:15 P.M. in the City Hall Conference Room.

Traffic Commission - Mayor DeMirjyn volunteered to attend the Traffic Commission meetings for Dr. Roth.

Airport Advisory Board - will meet May 21, 1981, at 3:30 P.M. in the City Hall Conference Room to discuss the proposed Airport Master Plan.

Historic and Scenic Preservation Commission - will hold its regular meeting on May 12, 1981, in Provident Federal Savings and Loan.

COMMISSION APPOINTMENTS

Appointments Council concurred to appoint Carole Beswick to the Planning Commission and Bunny Soria to the Housing Commission.

APPLICATIONS AND PETITIONS

Gordon Grey's Pipe Band Council concurred to officially recognize the Gordon Grey's Pipe Band as the City of Redlands Pipe Band. There will be no financial entanglements between them and the City; however, they will be most pleased to perform at Council's request.

COMMUNICATIONS

Commendation Councilman Roth moved to send letters of commendation to Karen Wilmot and Glen Noyes for the fantastic art work and display of talent in the brochure prepared by the Historic and Scenic Preservation Commission entitled "A Walking Tour of Historic Redlands." Motion seconded by Councilman Martinez, and enthusiastically carried by unanimous vote. The brochure is available at the library.

Expressions of Appreciation Councilman Riordan extended gratitude and appreciation to Ben and Mary Rabe for their donation to cover the cost of purchasing carpeting for the Lincoln Shrine. City Manager Christiansen pointed out that McEwen's also installed the carpeting at no charge. Letters from Council will be sent to these people.

NEW BUSINESS

Resolution
No. 3744

Animal
Fees

In a written report to Council, City Treasurer Michael Reynolds stated there had been an approximate \$13,000 deficit for the last fiscal year for animal control due to the City of San Bernardino having increased the Animal Shelter fees. This deficit reflects only direct costs and does not include trucks and other major equipment nor the Treasurer's office time or supplies for dog licensing. He had further reported the main purpose for dog licensing is to preserve public health through rabies control; that higher fees would likely cause people to not license their dogs and possible not get the biannual rabies shots. He recommended adoption of Resolution No. 3744 setting license fees of \$5.00 for each neutered dog and \$10.00 for each unaltered dog; setting a fee of \$1.00 for the replacement of a lost, mutilated, or stolen tag; setting a charge of \$3.00 per day for the keeping of an impounded dog; and setting a fee of \$2.00 for the disposal of a live animal or \$10.00 for a dead animal. On motion of Councilman Martinez, seconded by Councilman Roth, Resolution No. 3744, a resolution of the City of Redlands establishing fees to be charged in accordance with Chapter 57, Animals, of the Redlands Ordinance Code, was unanimously adopted.

Resolution
No. 3748
Industrial
Park Avenue

Adoption of Resolution No. 3748, a resolution of the City Council declaring the intention to vacate a portion of Industrial Park Avenue and setting public hearing on this street vacation for May 19, 1981, at 7:00 P.M., was unanimously ordered by Council.

Resolution
No. 3749
Accept
Declaration

Adoption of Resolution No. 3749, a resolution of the City Council accepting an offer of dedication for land on Sunset Drive which is now needed for the construction of that street, was unanimously ordered by Council.

Resolution
No. 3750
Towing
Franchise

Councilman Martinez moved to adopt Resolution No. 3750, a resolution of the City Council granting to L & L Towing, 414 Tennessee Street, a franchise to operate authorized tow-trucks over, along, and upon the streets of Redlands and to operate authorized storage garages for impounded or stored vehicles in the City; motion seconded by Councilman Riordan.

Towing
Ordinance
Study

Tom Weaver of Citrus Village Towing questioned the need for another towing franchise in Redlands. Council discussed review of the ordinance to require a Certificate of Necessity. City Attorney Taylor advised a survey of surrounding cities; stated a Certificate of Necessity is a common requirement; and that this was worthy of review looking to the future to establish highest quality. He further stated that our form of government does not favor retroactive legislation. Council concurred to have the City Attorney's office review this ordinance. The motion to approve Resolution No. 3750 was then passed by the following vote:
AYES: Councilmembers Martinez and Riordan
NOES: Councilmember Gorman, for the reason he wanted to seek legal counsel
ABSTAIN: Councilmember Roth; Mayor DeMirjyn, for the reason they do not oppose free enterprise but would like the opportunity to review the ordinance.
ABSENT: None

CITY MANAGER

Deed
Industrial
Park Avenue

On motion of Councilman Martinez, seconded by Councilman Riordan, Council unanimously accepted a Quitclaim Deed from B.M.I. Funds, a California Corporation, for property known as Industrial Park Avenue from Alabama Street to a point approximately 550 feet easterly of Alabama Street.

CITY MANAGER (Continued)

Declaration of Dedication Crafton Ave. A Declaration of Dedication from Seven W Enterprises, Inc. for street right-of-way purposes on Crafton Avenue in accordance with requirements of C.R.A. No. 443 was unanimously accepted on motion of Councilman Martinez, seconded by Councilman Riordan.

Claims Council unanimously denied claims in the names of Robert May and Mike Mingee in routine manner and referred them to the City's insurance carrier.

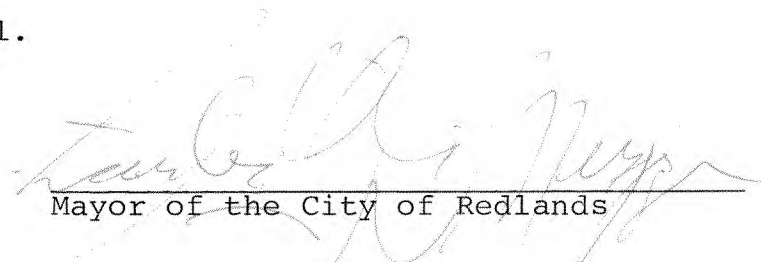
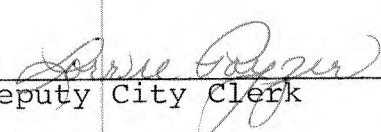
Resolution No. 3751 At the Planning Session this afternoon, Council delayed action on Resolution No. 3751, a resolution of the City Council determining the amount of property tax revenues to be exchanged between and among the Cities of Redlands and Loma Linda and the County of San Bernardino resulting from the de-annexation of approximately four acres of property generally in the area west of California Street to Mountain View and north of Redlands Boulevard to the I-10 Freeway. Following an explanation to the audience, Resolution No. 3751 was unanimously adopted on motion of Councilman Martinez, seconded by Councilman Riordan. (also see Page 32)

De-Annexation LAFC No. 2092 Bills and salaries were ordered paid as approved by the Finance Committee.

There being no further business, Council adjourned, on motion, at 8:15 P.M. to an executive session.

Next regular meeting, May 19, 1981.

ATTEST:


Mayor of the City of Redlands
Deputy City Clerk

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