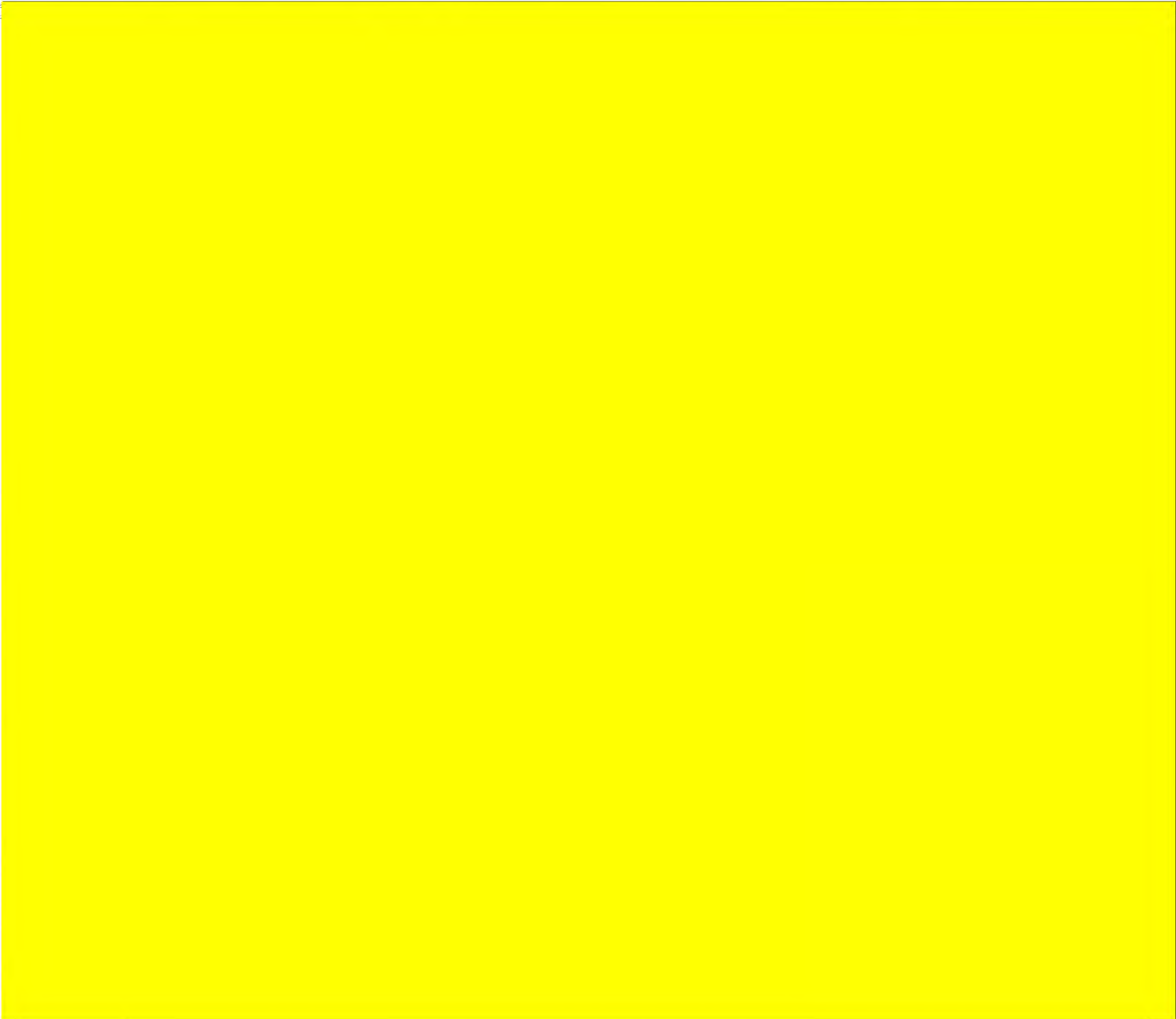




MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on May 19, 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
- Peggy A. Moseley, 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 Chaplain Russ Haggerty of the Edwards Mansion Chapel.

Minutes of the regular meeting of May 5, 1981, were approved by the City Council as amended by Vice Mayor Gorman.

PUBLIC HEARINGS

Ordinance
No 1750

Specific
Plan No. 23

Public hearing was advertised for this time and place on Ordinance No. 1750, an ordinance of the City of Redlands adopting Specific Plan No. 23, Development Standards for 106 acres of land generally located in the area between Ford Street, the I-10 Freeway, Wabash Avenue, and East Sunset Drive North.

PUBLIC HEARINGS (Continued)

	Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments concerning this Specific Plan. Council briefly considered an addition to the ordinance to emphasize the fact that this entire area is a "drainage area" and that compliance with all City drainage requirements will be manditory. Council concurred that this was advantageous, particularly as parts of this area may not develop for many years, but after discussion agreed that this matter would be adopted in an amending ordinance.
Ordinance No. 1750 Specific Plan No. 23	Ordinance No. 1750, adopting Specific Plan No. 23, was then 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 Gorman, Martinez, Riordan, Roth; Mayor DeMirjyn NOES: None ABSENT: None
Ordinance No. 1755 Amend Ordinance No. 1750	Ordinance No. 1755, an ordinance of the City of Redlands amending Ordinance No. 1750 - Specific Plan No. 23, to bring emphasis and additional prominence to the drainage requirements on the land comprising Specific Plan No. 23, was introduced and laid over under the rules. Public hearing will be set following consideration of this ordinance by the Planning Commission.
Resolution No. 3753 Order Work Vacate Portion Industrial Park Avenue	Public hearing was advertised for this time and place for the vacation of a portion of Industrial Park Avenue. Mayor DeMirjyn opened the meeting as a public hearing for any questions or comments concerning this street vacation. None being forthcoming, the public hearing was tabled, on motion of Councilman Martinez, seconded by Councilman Gorman, by the following roll call vote: AYES: Councilmembers Gorman, Martinez, Riordan, Roth; Mayor DeMirjyn NOES: None ABSENT: None
Resolution No. 3754 Order Work Vacate Portions Marian and Sixth Avenues	Public hearing was advertised for this time and place for the vacation of portions of Marian and Sixth Avenues. Mayor DeMirjyn again opened the meeting as a public hearing for any questions or comments concerning these street vacations. None being forthcoming, the public hearing was declared closed, and Resolution No. 3754, a resolution of the City Council ordering the vacations of portions of Marian and Sixth Avenues, was adopted on motion of Councilman Martinez, seconded by Councilman Riordan, by the following roll call vote: AYES: Councilmembers Gorman, Martinez, Riordan, Roth; Mayor DeMirjyn NOES: None ABSENT: None

ORAL PETITIONS FROM THE FLOOR

Mr. David Waters of 7 East Citrus Avenue read a statement (on file in the Clerk's Office) dealing with the effect of ordinances, Council actions, and policies of City agencies which he feels are financially burdensome on citizens and may affect the Constitutional Rights of property owners. He requested a review of City ordinances to "provide a minimum of government interference in the free enterprise system."

Mr. Don Carlson of 1345 Pacific Street brought to Council attention the use of Slag from Kaiser Steel, in building and surfacing driveways. He expressed concern that the material is unstable, may be a carcinogen, and requested an ordinance to halt this use until testing proves that it is not harmful to health.

COMMISSION REPORTS

Planning Commission recommendations as considered by the City Council at a regular meeting thereof held on May 19, 1981, at 3:00 P.M.

Present: Councilmembers Gorman, Martinez, Riordan, Roth; Mayor DeMirjyn, City Attorney Edward F. Taylor

1. R.P.C. No. 544 - Ordinance Text Amendment No. 154 - City of Redlands

That R.P.C. No. 544, a resolution of the Planning Commission for adoption of Ordinance No. 1000 Text Amendment No. 154 which establishes a minimum side and rear setback of ten feet from property line for residential accessory buildings, be approved.

Councilman Gorman stated he was not satisfied with the Planning Commission decision as it allows substantial inconsistencies, and he desired setback and height limitations in all areas, not just residential. Councilman Riordan expressed her concern the ordinance was being written for only a few problems. Councilman Martinez agreed with Mrs. Riordan and suggested returning this item to the Planning Commission to allow for differences on an individual basis. Stating this seemed to be a significant problem as he was acutely aware of his neighbors since a barrier was removed and that he understood the need for a feeling of privacy, Councilman Roth felt the setback requirement would help but that he did not want to limit height. Councilman Gorman moved to amend Zoning Ordinance No. 1000 Text Amendment No. 154 by deleting the reference to residential and refer back to the Planning Commission for their review. Motion seconded by Councilman Martinez and carried unanimously.

2. Grading Ordinance Amendment - City of Redlands

On motion of Councilman Gorman, seconded by Councilman Riordan, Ordinance No. 1754, an ordinance of the City of Redlands amending the Redlands Ordinance Code and providing for minimum fill grading, treatment of hillside grading, permit boundary grading, and driveway gradients, was introduced, given first reading of the title, and laid over under the rules with public hearing set for June 2, 1981, at 7:00 P.M.

OTHER PLANNING ITEMS FOR COUNCIL CONSIDERATION

1. Tentative Tract No. 8594 (Revised) - Michael Leon, Bruce McIntyre, and Taras Kozbur - Final Approval

All requirements as outlined in Council minutes dated May 5, 1981, having been complied with, it is the recommendation of the Planning Department that final approval be given Tentative Tract No. 8594 (Revised). On motion of Councilman Martinez, seconded by Councilman Roth, this recommendation of the Planning Department was unanimously approved.

2. Final Environmental Impact Report for Ordinance No. 1742

The final environmental impact report for Ordinance No. 1742 has been prepared and was distributed earlier this afternoon. City Attorney Taylor commended staff for expediting this report and recommended Councilmembers peruse the report. He expressed confidence with the EIR and noted the importance of incorporating comments from C-Y Development Company in the report.

If Council desires, Mr. Taylor would like to review the final EIR with C-Y Development Company at this evening's session. At that time, Council could approve a resolution adopting Notice of Certification of the final environmental report for Ordinance No. 1742. Hearing for the lawsuit filed by C-Y Development Company and Harvest Investment Company is scheduled for Wednesday morning, and Mr. Taylor would like to have the report with the certification with him if at all possible.

Council discussed the course of action after approving the Notice of Certification. Mr. Taylor stated Council should probably wait for the court decision, but that the City owes the other developers consideration since they have been patiently waiting; therefore, Council could show its intent by giving Ordinance No. 1742 first reading for readoption tonight and pending the court decision hold public hearing in two weeks. (also see P.39)

3. Drive-Thrus - Auto Emissions

Information on this subject has been received by the City Manager from the Southern California Auto Club. Mr. Christiansen pointed out a number of cities have adopted ordinances prohibiting drive-thrus. Council discussed this subject and directed staff to talk with managers expressing Council's view and find out their feelings. Mr. Schindler pointed out the traffic situation at the Bank of Redlands on Sixth Street should be eliminated when two additional lanes are completed. The problem at MJon Q will probably be rectified by the new owners of the property.

COMMISSION REPORTS (Continued)

4.

Budget Session

The 1981-82 budget will be reviewed by Council on Friday, June 5, 1981, in the Lyon's Gallery, A. K. Smiley Public Library, starting at 10:00 A.M.

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

Park Commission - there will be no meeting this month.

Housing Commission - working to develop housing renovation funding.

Traffic Commission - will meet May 21, 1981 at 2:00 P.M. in the Council chambers.

Public Works Commission - there will be no meeting this month.

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

Historic and Scenic Preservation Commission - reviewed project for Dr. Hossain.

APPLICATIONS AND PETITIONS

The Planning Commission denied Conditional Use Permit No. 342 to convert an existing residence to a medical office due to on site problems. Dr. Hossain filed an appeal to this decision with the City Clerk on April 24, 1981.

Dr. Hossain described his efforts in detail since October, 1980 to convert a former residence at 627 Brookside Avenue into a medical office. He presented Leon Armantrout's architectural design for reconstruction of the historic appearance.

Council discussed the driveway problems at length, recommended Dr. Hossain continue his efforts to improve the access to his parking area, possibly by joint use with adjacent property, and commented that the project meets minimum requirements and does enhance the area.

On motion of Councilman Riordan, C.U.P. No. 342 was then approved by the following vote:

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

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 this 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.

Attorney Gary Kooiman addressed Council on behalf of his father who owns this property in question. He asked permission to repair and retain the present six foot high chain link fence in lieu of installation of a six foot wall to separate properties.

Council considered this; the installation of a cement block trash enclosure; possible requirement of an improvement agreement to cover later installation of the wall in the event the commercial building is torn down, thus making the property a residential use; the alley direction and use as access to parking, removal of existing pole sign; and compliance time.

Appeal
Block Wall
Kooiman

APPLICATIONS AND PETITIONS (Continued)

Following lengthy discussion, Dr. Roth moved:

- 1) Existing fences may be used but must be slatted for visual screening.
- 2) An improvement agreement must be signed for installation of the masonry wall if needed at a later date.
- 3) A chain link fence with gate be built across the back of property and be slatted.
- 4) The trash enclosure be built according to ordinance requirements.
- 5) Removal of pole sign.
- 6) 90 days in which to make improvements.

This motion was seconded by Councilman Gorman and unanimously adopted.

Circus
Performance

On motion of Councilman Riordan, seconded by Councilman Roth, Council unanimously granted permission to Big John Strong's Trained Animal Circus to perform Friday, June 5, 1981, at 6:00 P.M. and 8:00 P.M. on the land next to Pizza N' Stuff. The show is sponsored by the National Federation of the Blind of California, San Bernardino Chapter. This permission is subject to all City requirements and to the posting of a \$250.00 returnable deposit to assure removal of all advertising signs.

Sports
Foundation

The Minor Sports Foundation of America was denied permission to solicit for cash donations and pledges in the residential areas of Redlands on motion of Councilman Gorman, seconded by Councilman Roth.

COMMUNICATIONS

Contemporary
Club
Donation

From Vice Mayor Gorman: The blue reflectors appearing on residential streets are to designate the location of fire hydrants that are otherwise difficult to locate. A donation was received from the Contemporary Club of Redlands to purchase these reflectors, and on motion of Councilman Roth, seconded by Councilman Riordan, Council unanimously authorized a letter sent to the Contemporary Club to thank them for their fine example of civic concern and involvement.

Sign Code
Committee

The Sign Advisory Committee plans to hold a meeting on Wednesday, June 3, 1981, at 7:00 P.M. in the Council Chambers to provide an opportunity for any and all parties to be heard on sign issues.

Illuminated
Street
Signs

Vice Mayor Gorman read a summary of earlier comments on illuminated street signs together with additional information and recommendations. (This report is on file in the office of the City Clerk.) He then moved to: suspend installation of illuminated street signs; adopt a policy not to use illuminated street signs; order removal of the signs that have been installed; decide which intersections may use larger street designators and control the maximum size of the sign; and require a written and oral report from the City Manager for the next meeting on how monies spent on these signs are to be recovered. Stating he agreed in principal, Councilman Roth seconded the motion.

Public Works Director Donnelly reported that the City has five intersections presently under construction; the other intersections are State Highway installations; an energy saving florescent light is used and the cost is 44 cents per day per intersection. Council discussed the possibility of selling the signs; use of reflectorized signs; safety; and esthetics. Mr. Gorman's motion then failed by the following vote:

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

COMMUNICATIONS (Continued)Cajon
Street
Signals

Councilman Gorman stated his dissatisfaction with the style of traffic signals being installed on Cajon Street and called for the following action: direct removal of the present signal structures; replace them with short, "corner only" poles; and establish a policy to review the physical treatment for future signal emplacements, and unless otherwise approved, utilize short corner poles for all installations, particularly in residential and Administrative/Professional area. There was no Council action.

Traffic
Study

Mayor DeMirjyn requested the Traffic Commission study the intersection of San Mateo Street and Palm Avenue. He also stated a petition concerning the intersection of Grove Street and Palm Avenue is forthcoming.

Commen-
dation

Councilman Martinez highly commended the Redlands Police and County Sheriff for their excellent response time and service when he had a problem at Mariposa School.

NEW BUSINESSOrdinance
No. 1751
Fire
Protection

Ordinance No. 1751, an ordinance of the City Council of the City of Redlands amending the Redlands Ordinance Code by the addition of certain fire protection requirements, was given first reading of the title and laid over under the rules with second reading and public hearing set for June 2, 1981, at 7:00 P.M.

Resolution
No. 3755SCAG
SB-325
Funds

On motion of Councilman Gorman, seconded by Councilman Roth, Council unanimously approved Resolution No. 3755, a resolution of the City of Redlands authorizing the Southern California Association of Governments to allocate SB-325 fund to OMNITRANS for transit services in the amount of \$244,161.00 and to claim \$362,722.00 for the City's roads and highway use.

CITY ATTORNEYResolution
No. 3756
Certifica-
tion of
Environ-
mental
Impact
Report

City Attorney Taylor presented Resolution No. 3756, a resolution of the City of Redlands Adopting Notice of Certification of Final Environmental Impact Report for Ordinance No. 1742. He reviewed with Council the amendments contained in Ordinance No. 1742 which are the subject of the lawsuit. In detail he presented each of the proposed amendments and explained their nature to the Council and citizens present at the meeting.

Each member of Council had a copy of the final E.I.R. and examined it while Mr. Taylor discussed the contents. Mr. Taylor also explained the attached documents, then stated that the final step required was for the City Council, as lead agency, to adopt Resolution No. 3756 to certify the Environmental Impact Report for Ordinance No. 1742. Councilman Martinez so moved, seconded by Councilman Riordan.

Before question was called, Attorney James D. Stroffe asked to be permitted to speak. This was discussed by Council and Mr. Stroffe was asked to limit his remarks to five minutes and requested to refrain from repetition.

James D. Stroffe, 599 North Arrowhead Avenue, San Bernardino: " I represent the petitioners in the lawsuit that was mentioned as well as those members of the community who have submitted responses to the draft E.I.R. I doubt very seriously that my comments will take more than five minutes as you wish. I will attempt to keep to that limitation. Our main concern, Mr. Mayor and members of the Council, is that we didn't have any idea that this was happening tonight. We, meaning C-Y and Harvest Investment, received a package labeled 'Final E.I.R.' with a bunch of stapled documents loosely attached together, around 2:00 this afternoon. I had a telephone conversation with

CITY ATTORNEY (Continued)

the City Attorney at approximately 2:30 where he advised me that this matter was being presented to the Council this evening for purposes of certification. We specifically had an agreement through a letter dated February 18, 1981, which I will provide copies of. Apologize for not being stapled, I did not have an opportunity to get that prepared for this meeting. It was agreed that we would have notice of all draft and final E.I.R.'s that were prepared in connection with this matter and in connection with the lawsuit that we would have an E.I.R. submitted or the draft of the E.I.R.s delivered to me as well as the applicant. I made that specific request, in fact, it was honored with respect to the draft E.I.R. I've had only a short limited period of time to review it if, in fact, it was completed this morning as I was advised by the City Attorney." Mr Taylor,

Mr. Taylor, "This final environmental impact report contains the draft E.I.R. with virtually no change from the draft that you have and which your client had previously received. Comments that were received from C-Y came, I believe, on the thirtieth day of the review period, which is fine; but we have calendared tomorrow a court appearance date pending for sometime; the City has been acting under the assumption that it would be desirable to go in the court with the final environmental impact report. We volunteered in good faith, conforming with the spirit of CEQA, to submit the E.I.R. to His Honor, Judge Turner. That perhaps is the reason why the E.I.R. has been finalized so promptly. It was not ready to go through the Environmental Committee until yesterday. The law does not require that any extended period of time be added for further public comment after the review period. The review period is set aside for submission of comments from members of the public such as yourself, and it was received, I think two weeks ago - two Fridays ago. It has been the subject of a very intense study by the city staff and by the Environmental Review Committee, and pressing very hard to have it ready before tomorrow and that is the idea. I'm pointing up that this is not a large massive document that has been dumped in your lap today. The only really new materials in this final E.I.R. are the comments that were made by the Environmental Review Committee and the staff. The bulk of this E.I.R. is composed of your comments, the drainage study, and other materials which I think you are well aware of. So I don't think you have to look at a large number of papers for the first time today, other than the staff comments. The Councilmembers had the draft E.I.R., which has now been incorporated with little change in the final environmental staff report. The only thing it has received in addition was the comments from the staff, plus of course your comments which they've had for a couple of weeks. I understand that the members of the City Council reviewed all of these materials and are prepared tonight to consider whether certification should be given. If so, I can present it in court in the morning and the Judge will know that in good faith we expeditiously got this thing over and done with."

Mr. Stroffe: "Well, I appreciate your comments Mr. Taylor. I have not at any time made any accusations that you were not proceeding in good faith; that all the while, I believe that you are proceeding in good faith. I understand why you would want to walk into the courtroom "tomorrow with the certified E.I.R.; however, I don't think that agencies of the pending litigation mandate any responsible action by the Council, if in fact it would amount to an irresponsible act. That litigation as you are well aware can be continued to another date. The whole purpose of the litigation is to impress upon the City the requirement of preparing an Environmental Impact Report and if they are doing that there is nothing that the action will

Resolution
No. 3756

Certification of
Environmental
Impact
Report

CITY ATTORNEY (Continued)

Resolution
No. 3756
Certifica-
tion of
Environ-
mental
Impact
Report

accomplish other than the actual presentation of this document to us in a final form. I am also aware that there are no specific requirements in the Public Resources Code or the administrative guidelines implement CEQA that require a public hearing; however, you are aware that the entire philosophy behind that act, and the guidelines, is to produce public input on issues of significant environmental matters. I feel constrained to respond to some of these things you've mentioned."

Mayor DeMirjyn, "You've already had your five minutes."

Attorney Strofee replied, "Okay - that's fine. I really don't care if you want to take the action that you are proposing to take. In fact I would rather have you do it because the next lawsuit will deal with the adequacy of the E.I.R. and there is absolutely no questions in my mind, that this E.I.R. in its final form is inadequate and that you are not at this time sufficiently appraised of the document to make the type of decision that you are required to make in issuing that certification. Thank you very much for your attention and the privilege of speaking to you."

Mayor DeMirjyn then called for the vote to approve Resolution No. 3756; motion carried unanimously. (also see P.36)

Ordinance
No. 1742
Implementing
Proposition
"R"

(Re-adoption)

Councilman Riordan moved to give first reading of the title for Ordinance No. 1742, an ordinance of the City of Redlands implementing Proposition "R" and amending Ordinances Nos. 1680 and 1717, lay over under the rules, and set for public hearing on June 2, 1981, at 7:00 P.M. subject to the determination of the court tomorrow. Councilman Roth seconded the motion for the reason we have many developers who are suffering because we have withheld our allocation and feels Council needs to proceed as rapidly as possible for their benefit. Motion carried unanimously.

CITY MANAGER

Sand and
Gravel
Lease

Council unanimously approved the sand and gravel lease with Livingston-Graham effective July 1, 1981, on motion of Councilman Martinez, seconded by Councilman Riordan. Changes in the new lease are outlined in detail in the City Manager's May 7, 1981, memorandum to Council.

Funds
Police
K-9 Trials

On motion of Councilman Riordan, seconded by Councilman Gorman, Council unanimously approved an additional appropriation in the amount of \$4,500 to fund the Police K-9 Trials. Contributions from the private and business community have been received to pay for this event.

Funds
Fire
Department

Council unanimously approved an additional appropriation in the amount of \$750 for the Fire Department to purchase a 35 MM camera and 1/2" State Life Line to be used in conjunction with fire prevention and arson investigations on motion of Councilman Gorman, seconded by Councilman Roth. Sale of obsolete fire equipment will fund this request.

Funds

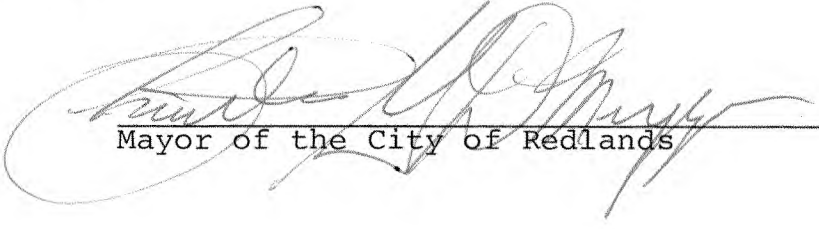
On motion of Councilman Martinez, seconded by Councilman Roth, Council unanimously approved additional appropriations for various funds for budgetary purposes as presented in a memorandum dated May 14, 1981, from Finance Director Archbold. Also included in this motion was an additional appropriations for the Fire Department's Weed Abatement Program in the amount of \$30,000.

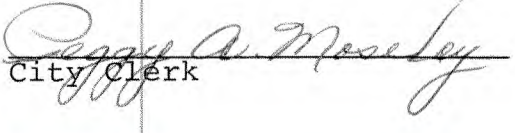
Bills and salaries were ordered paid as approved by the Finance Committee.

CITY MANAGER (Continued)

There being no further business, Council adjourned, on motion at 9:15 P.M.
Next regular meeting, June 2, 1981.

ATTEST:



Mayor of the City of Redlands

City Clerk

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