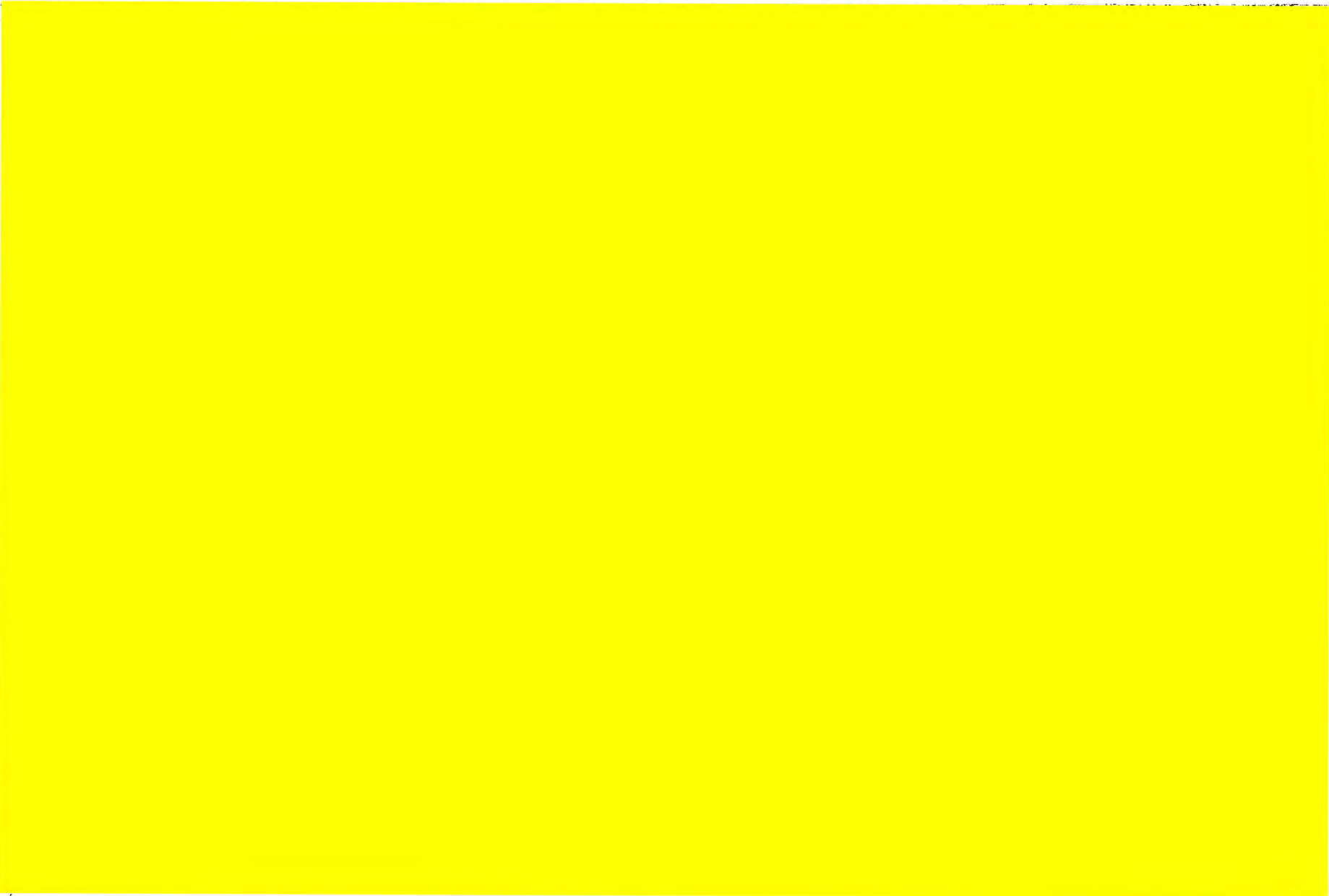




MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on February 2, 1982, 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
Dallas Holmes, City Attorney
Peggy A. Moseley, City Clerk
Glenn Cunliffe, Redlands Daily Facts
Pat Brown, The Sun
Charles Roberts, KBON Radio

ABSENT

None

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

Minutes of the regular meeting of January 19, 1982, were approved as submitted.

PUBLIC HEARINGS

Ordinance
No. 1772

Water Lines
and
Fire
Hydrants

Public hearing was advertised for this time and place on Ordinance No. 1772, an ordinance of the City of Redlands requiring the provision of water lines and fire hydrants in conjunction with certain building construction or change in use. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments concerning this ordinance; none being forthcoming, the public hearing was declared closed. The reading-in-full of Ordinance No. 1772 was unanimously waived on motion of Councilman Riordan, seconded by Councilman Martinez. Ordinance No. 1772 was then adopted on motion of Councilman Riordan, seconded by Councilman Martinez, by the following roll call vote:

PUBLIC HEARINGS (Continued)

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

Ordinance
 No. 1781

Traffic
 Fines

Public hearing was advertised for this time and place on Ordinance No. 1781, an ordinance of the City of Redlands amending the Traffic Ordinance by the addition of a \$10.50 penalty fee for traffic fines that are not paid within thirty days. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments concerning this amendment to the Traffic Ordinance. None being forthcoming, the public hearing was declared closed. Councilman Gorman's motion to waive the reading-in-full of this ordinance was seconded by Councilman Martinez and unanimously adopted by a unanimous vote. Then Ordinance No. 1781 was adopted on motion of Councilman Gorman, seconded by Councilman Martinez, by the following roll call vote:

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

Ordinance
 No. 1782

Amend
 Subdivision
 Ordinance

Public hearing was advertised for this time and place on Ordinance No. 1782, an ordinance of the City of Redlands amending the Subdivision Ordinance to establish a minimum time limit of two years for expiration of a tentative map for subdivisions and clarifying other matters in relation to map extensions and removing out-dated material. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments concerning this amendment to the Subdivision Ordinance. None being forthcoming, the public hearing was declared closed. Councilman Gorman's motion to waive reading of Ordinance No. 1782 in full was seconded by Councilman Martinez and adopted by unanimous vote of the City Council. Following this, Ordinance No. 1782 was adopted on motion of Councilman Gorman, seconded by Councilman Martinez, by the following roll call vote:

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

ORAL PETITIONS FROM THE FLOOR

Candidate for City Council, Mr. Martin Hathaway addressed the Council stating that he hoped to change the Councilmembers' minds from their vote of January 19, 1982 when they adopted Resolution No. 3812, a resolution establishing a new water rate structure for users of City of Redlands water. He was critical of the commission meeting times, the Montgomery Report, the water rate structure, the departmental budget and other matters. He stated that the Council had acted in haste.

Mr. Eldon Vincent read a comprehensive report opposing the rate increase (on file in the office of the City Clerk) Mr. Joseph Loudikhuis spoke regarding the rate structure, also Ms. Elizabeth Konegris; both in opposition.

Public Works Director John Donnelly responded to some of the questions and comments, outlined budgetary procedures and briefly repeated his explanations given at the last Council meeting. He stressed the necessity of planning for city growth and reminded all present that there are 2000 approved lots which can be built upon today.

COMMISSION REPORTS

Planning Commission recommendations as considered by the City Council at a regular meeting thereof held on February 2, 1982, at 3:00 P.M.

PLANNING COMMISSION REPORTS (Continued)

Present: Councilmembers Gorman, Martinez, Riordan, Roth; Mayor DeMirjyn; Attorney Holmes, Planning Director Schindler, Deputy Clerk Poyzer

1. Conditional Use Permit No. 360 - William and Diane Solberg

That the request for a conditional use permit to convert a residence into a professional office for property located at 401 Brookside Avenue, A-P Zone, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated January 26, 1982, and subject to Study Map No. 2 submitted January 26, 1982, and in accordance with findings of Section 52.00(C) of Zoning Ordinance No. 1000. On motion of Councilman Martinez, seconded by Councilman Roth, Conditional Use Permit No. 360 was unanimously approved by Council.

ADDENDUM ITEM

Council briefly discussed the condition of the Donald House on the corner of Brookside Avenue and San Mateo Street. Councilman Roth explained the dichondra lawn had become diseased and died; the yard needs to be landscaped but this is not the right time of the year to do it.

OTHER PLANNING ITEMS FOR COUNCIL CONSIDERATION

1. RDA No. 81-5A - Transfer Request

City Manager Christiansen reviewed past action regarding this request to transfer a residential development allocation starting with Dr. Welch's request in December. At this time, Mrs. Evelyn Hall is requesting the allocation of 24 units be transferred to: Evelyn B. Hall, James E. McQueen, Donald L. Miller, Charlotte Miller, Rolland W. Moore, Jr., Sally Moore, and Helen B. Harris.

Councilman Roth felt an RDA went with the project and the land. Councilman Riordan pointed out the plans cannot be changed; that any changes must again go through the allocation process. Councilman Gorman stated Council had acted in good faith in December but that, in the future, proof of ownership should be required. Attorney Holmes stated the ordinance does not contemplate creating anything like a security interest or an interest in property that is severable from the property, and that, in his opinion, RDAs are based solely on a proposed project on a proposed piece of land; that if the land and project is sold or transferred, the allocation can move with the land if the project and land is substantially the same.

Ingrid Mack addressed Council stating that Dr. Welch did not have title of the property when he requested the allocation transfer. She also pointed out that although Dr. Welch had assured Council the project would not change, she owned the plans and that no one would get the plans from her. She submitted copies of court documents regarding her lawsuit to the City Attorney stating the property is presently subject to this lawsuit.

Council recessed on motion at 3:26 P.M. to a closed session for the purpose of an attorney-client privilege discussion; Council reconvened at 3:48 P.M.

Vernon Crear, agent for Dr. Welch, reviewed the process he had followed in December requesting the transfer of the allocation. He felt it would not be fair to the present owners if this item was tabled; that they should have the privilege of the allocation.

Mrs. Mack spoke briefly again informing Council she was also suing this third party on the same basis.

Stating he had uneasy feelings, Councilman Roth moved to do nothing further until Dr. Welch and Mrs. Hall, et al, came forward with proof of ownership on the days in question, and then Council would take appropriate action. Motion seconded by Councilman Gorman.

Mrs. Hall questioned the necessity of involving Dr. Welch since she is now the new owner. Councilman Roth explained he wanted clarification; that if Dr. Welch did not own the property on December 15, then he felt the action taken at that meeting was null and void. Councilman Gorman extensively questioned Mrs. Hall if she absolutely understood that if the allocation transfer was granted, there could not be any changes in the plans. She replied the plot plans were a matter of public record, and in answer to the questions if she owned or had control of the project plans, she stated she understood it was just a service, that no one owns those plans, and that she could buy it. She stated several times she would abide by the original plans as approved.

Councilman Roth's motion then carried by unanimous vote of the Council.

OTHER PLANNING ITEMS FOR COUNCIL CONSIDERATION (Continued)

2. Tentative Tract No. 10720 - Bob A. Tee Development Co., Inc. - Time Extension
- On motion of Councilman Martinez, seconded by Councilman Riordan, a time extension of one year to March 3, 1983, was unanimously given for Tentative Tract No. 10720.
3. Conditional Use Permit No. 341 - Tony Tucker - Time Extension
- On motion of Councilman Riordan, seconded by Councilman Martinez, a time extension of one year to February 3, 1983, was unanimously given for Conditional Use Permit No. 341.
4. Tentative Tract No. 10637 - Michael Leon - Final Approval
- All requirements as outlined in Council minutes dated February 6, 1979, having been complied with, it is the recommendation of the Planning Department that final approval be given Tentative Tract No. 10637. On motion of Councilman Martinez, seconded by Councilman Gorman, this recommendation of the Planning Department was unanimously approved by Council.
5. Conditional Use Permit No. 356 - Redlands Convenience Center/Alabama Redlands Association - Final Approval
- All requirements as outlined in Council minutes dated January 19, 1982, having been complied with, it is the recommendation of the Planning Department that final approval be given Conditional Use Permit No. 356. On motion of Councilman Gorman, seconded by Councilman Riordan, this recommendation of the Planning Department was unanimously approved by Council.
6. Vanguard National Builders - Building Permit Allocations
- Mr. Schindler submitted a memo explaining that on December 31, 1979, Vanguard National Builders received a building permit allocation for 38 units. The associated Tract No. 10083 was granted tentative approval on February 20, 1979. The applicant has received two one-year time extensions, and the tract map will expire on February 20, 1982. Due to money market conditions, Vanguard is reluctant to record the tract. The question has been raised that if the map is allowed to expire, will the building permit allocation be forfeited. Mr. Schindler stated the Planning Department has had two inquiries on this subject and asked for Council direction since the ordinance is silent on this subject. Councilman Roth felt the allocation goes with the project and land, and he did not like the idea of this just being continued. Councilman Gorman agreed that it should be the same as the tentative map expiration. On motion of Councilman Roth, seconded by Councilman Gorman, Council unanimously ordered that Residential Development Allocations will expire at the time the tentative tract map expires.
7. John Moore/Specific Plan No. 23
- Mr. Schindler reported that drawings were received earlier this afternoon reflecting an agreement between the engineers and Dr. Johnson, but that Mr. Moore has not had an opportunity to review them yet. The agreement appears to be acceptable.
- Mr. Moore stated he felt they were getting closer to a solution although it will put more burden on the cost of his project because of the designed drainage facilities. Continuing he felt that if all parties involved could come to an agreement with the paperwork, he would be able to live with it. At this time, Mr. Moore requested a thirty day postponement of any action in order to complete preparation of the documents. Council concurred to continue this matter until Mr. Moore requests it be placed on the agenda.
- There being no further business, Council adjourned to a closed session for the purpose of discussion of matters covered by the attorney-client privilege.
- On motion of Dr. Roth, seconded by Councilman Riordan, Attorney Scott Reynolds and Mrs. Joan Dotson were unanimously appointed to terms on the Planning Commission. By the same motion, Mr. Manuel Madrid was reappointed to another term. A letter of appreciation was authorized to Mrs. Betty Petersen for her service on the commission.
- Councilman Riordan spoke briefly of Chairman, Attorney Ed Hales' more than thirty-five years on the Planning Commission, most of them as chairman, and stated that something very special was being planned in a month.

Council
Policy

Appointments

COMMISSION REPORTS (Continued)

	<u>Park Commission</u> - The Commission will be asked to study the Carob tree situation at its meeting on February 4 to obtain professional advice on the present condition and possible best treatment for the trees. Dr. Roth stated that a similar problem exists with the Carob trees across Eureka from the trees in question. He mentioned the possible closing of Eureka to create a park from the Library to the Bowl.
Resolution No. 3813 Bus Loading Zones	<u>Traffic Commission</u> - On motion of Councilman Roth, seconded by Councilman Gorman, Resolution No. 3813, a resolution of the City Council establishing no parking for bus loading zones on Terracina Boulevard and Fern Avenue, was unanimously adopted. Councilmember Riordan asked that a bench be added for waiting bus riders.
Appointment	<u>Library Board</u> - On motion of Councilman Riordan, seconded by Councilman Gorman, Mr. Jack Tompkins was unanimously appointed membership on the Library Board replacing Mr. William G. Moore.

APPLICATIONS AND PETITIONS

Parking Time Change	The request that the two-hour parking zone in the 400 block of Citrus Avenue be changed to three hour parking was referred to the Traffic Commission on motion of Councilman Gorman, seconded by Councilman Riordan.
City of Hope	On motion of Councilman Martinez, seconded by Councilman Riordan, Council unanimously gave permission to the City of Hope to hold its annual "Hope Sunday" on June 13, 1982, to conduct a solicitation for funds.

COMMUNICATIONS

Open House Lincoln Shrine	Library Director Phyllis Irshay invited all to attend the 10th annual Open House celebrating the 50th Anniversary of the Lincoln Shrine on Sunday from 2:00 to 5:00 P.M. Dr. Larry Burgess will speak.
	Vice Mayor Gorman reported that the Tennessee Street Freeway has cleared "another hurdle" and may yet receive approval due to the repeated flooding hazard.

CITY MANAGER

Bid Call Traffic Signals	On motion of Councilman Riordan, seconded by Councilman Martinez, the City Clerk was authorized to advertize for bids for the installation of a traffic signal at the intersection of Orange Street and Pennsylvania Avenue, using Community Block Grant Funds.
Quitclaim Deed Buster	On motion of Councilman Riordan, seconded by Councilman Martinez, the City authorized execution of a Quitclaim Deed for a portion of an easement in Kansas Street, now vacated, to William C. and Beita M. Buster. The Mayor and City Clerk were authorized to sign in behalf of the City.
Resolution No. 3814 Railroad Gates at Lincoln St.	Resolution No. 3814, a resolution of the City Council approving Supplement No. 11 of the Master Agreement between the City and the State of California for installation of automatic gates at Lincoln Street and the A.T. & S.F. Railroad Crossing, was unanimously adopted on motion of Councilman Riordan, seconded by Councilman Martinez.
Claim	A claim against the city in the name of State Farm Insurance Company in behalf of Mildred Roth was denied and ordered sent to the City's risk manager and the City's excess insurance carrier on motion of Councilman Gorman, seconded by Councilman Roth.

CITY MANAGER (Continued)

Funds

Engineering
Services

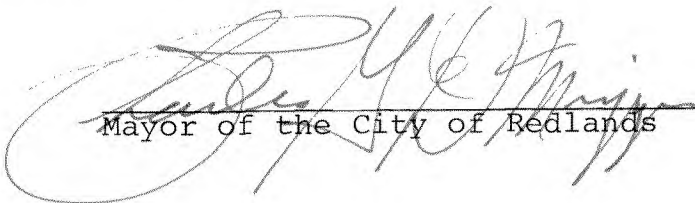
Authorization was unanimously given for transfer of \$1500 from water funds to obtain engineering services to develop proper engineering and environmental material for presentation to the U. S. Army Corps of Engineers in connection with the proposed Mentone Dam, on motion of Councilman Riordan, seconded by Councilman Gorman.

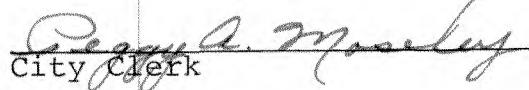
Bills and salaries were ordered paid as approved by the Finance Committee.

There being no further business, Council adjourned, on motion, at 8:20 P.M.

Next regular meeting, February 16, 1982.

ATTEST:


Mayor of the City of Redlands


City Clerk

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