

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on May 17, 1983, at 7:00 P.M. Planning Commission Items 3:00 P.M.

PRESENT

- Kenneth Roth, Mayor
- Charles G. DeMirjyn, Vice Mayor
- Oddie J. Martinez, Councilman
- James W. Gorman, Councilman
- Tim Johnson, Councilman

- John E. Holmes, City Manager
- Mike Riddell, City Attorney
- Lorrie Poyzer, City Clerk
- Glenn Cunliffe, Redlands Daily Facts
- James Nickles, The Sun

ABSENT

None

Certificates of Appreciation

The meeting was opened by Mayor Roth with the pledge of allegiance followed by an invocation by City Manager John E. Holmes.

Mayor Roth and Fire Chief Raymond Mills presented certificates of appreciation to James Rich and Al Dietrich who performed C.P.R. on Bob Rubenthaler on April 6, 1983, and greatly improved his chances to recuperate from a heart attack and return to a normal healthy life. All three men are members of a softball team and had just finished practice the night of the heart attack. Messrs. Dietrich and Rich received C.P.R. training while members of the Air Force.

Honoring Retha Lloyd Alder

Stating it was a pleasure to recognize Retha Lloyd Alder this evening, Mayor Roth presented her with a proclamation honoring her in conjunction with National Nurses' Day which was celebrated on May 6, 1983. Mrs. Alder's influence upon the nursing profession in Redlands has been vastly greater than that of a supportive, benevolent leader. She has also served as a mentor and role model to countless young people over the years and has made a significant contribution to the lives and health of many people in Redlands.

Mrs. Alder, who was accompanied by her son, Dr. Norman Lloyd, responded by saying that she greatly appreciated the honor and was also accepting it as a tribute to all associated with the nursing profession. She concluded by saying that students of nursing will surely find the field exciting and rewarding.

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

Minutes of the regular meeting of May 3, 1983, were approved as submitted.

PUBLIC HEARING

Revenue Sharing Funds

Public hearing was advertised for this time and place to accept public input regarding the use of Revenue Sharing Funds. Finance Director H. L. Archbold stated that although Congress has not yet renewed the program, revenue sharing is expected to be approved soon and the City of Redlands will receive \$475,000 in 1982-83 and use the funds for General Fund support.

Mayor Roth declared the meeting open as a public hearing for any questions or comments regarding the use of Revenue Sharing Funds. No one wishing to speak, Mayor Roth declared the public hearing closed.

COMMISSION/BOARD MATTERS

Present:

Planning Commission recommendations as considered by the City Council at a regular meeting thereof held on May 17, 1983, at 3:00 P.M.

1.

Conditional Use Permit No. 393 - A. Nasserian

That Conditional Use Permit No. 393 for the conversion of an existing residence into professional offices for property located at 339 Cajon Street, A-P Zone, be approved based on the findings of the Planning Commission and subject to the recommendations of all departments as outlined in Planning Commission minutes dated May 10, 1983. On motion of Councilman Gorman, seconded by Councilman Johnson, this recommendation of the Planning Commission was unanimously approved.

PLANNING COMMISSION RECOMMENDATIONS (Continued)2. Tentative Tract No. 11986 - Church Associates/John Thomas

That Tentative Tract No. 11986 for the subdivision of approximately 26.7 acres of land into 265 lots for property located on the northwest corner of Lugonia Avenue and Church Street, R-2 Zone, be granted tentative approval in accordance with the recommendations of the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated May 10, 1983, and noting that the map is in compliance with the General Plan and that none of the findings for legislative denial as contained in Section 24 of Ordinance No. 1562 exist on the property. On motion of Councilman DeMirjyn, seconded by Councilman Gorman, this recommendation of the Planning Commission was unanimously approved.

3. Minor Subdivision No. 124 - Amir-Parkwest

That Minor Subdivision No. 124 for the subdivision of approximately 9.11 acres of land located on the southwest corner of Kansas Street and Orange Avenue, 4 lots, R-2 Zone, be granted tentative approval in accordance with the recommendations of the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated May 10, 1983, noting that the map is in compliance with the General Plan and that none of the findings for legislative denial as contained in Section 24 of Ordinance No. 1562 exist on the property. On motion of Councilman DeMirjyn, seconded by Councilman Gorman, this recommendation of the Planning Commission was unanimously approved.

OTHER PLANNING ITEMS FOR COUNCIL CONSIDERATION1. Agricultural Preserve Removal No. 55 - Resolution No. 3891-Terrain West II

That the request to remove 9.0 acres of land from the Agricultural Preserve Boundaries located on the southwest corner of Highland and Wabash Avenues be approved as subject property meets the criteria for removal under Resolution No. 3649. On motion of Councilman DeMirjyn, seconded by Councilman Gorman, Resolution No. 3891, a resolution of the City Council amending the Agricultural Preserve Boundaries and approving Agricultural Preserve Removal No. 55, was unanimously approved by the City Council.

2. Agricultural Preserve Removal No. 56 - Airport Industrial

This item was removed from the agenda until further notice as requested by the applicant.

3. Minor Subdivision No. 123 - Michael E. Thornton

Minor Subdivision No. 123, a subdivision of approximately 1.19 acres of land located on the south side of Brookside Avenue, approximately 260 feet east of Bellevue Avenue, was continued from the meeting of April 19, 1983, to this date in order to receive a written response from legal counsel regarding applicability of Proposition "R" on this application.

Mr. Glenn Martineau, appearing as counsel for Mr. Blakeslee, encouraged as prompt a decision as possible as the delays were causing substantial expense for his client.

Council recessed at 3:10 P.M. to a closed session for the purpose of discussing this item under the attorney/client privilege; Council reconvened at 3:25 P.M.

Mayor Roth asked Mr. Blakeslee if he had sold this piece of property and the response was, "That's correct." In response to the question had the property gone through escrow, Mr. Blakeslee responded, "That's correct. Deed's been recorded." Mayor Roth asked Mr. Blakeslee why he was at the meeting instead of the owner of record, and Mr. Blakeslee said he had told the purchaser he could develop the property; that he was representing the buyer's interest because if the property cannot be developed, the sale would be cancelled. Mayor Roth asked how the sale could be cancelled if it had already gone through escrow, and Mr. Blakeslee replied he was a man of his word; that he would give the buyer back his money and take the property back. Mayor Roth concluded his questioning by asking Mr. Blakeslee if the buyer was an heir of his, an assign, a company which he was involved with, or if he was in any way connected, financially or otherwise, with the buyer of this property. Mr. Blakeslee responded that the buyer was a private individual; not related to him in any way.

OTHER PLANNING ITEMS FOR COUNCIL CONSIDERATION (Continued)

Councilman Gorman moved to grant tentative approval of Minor Subdivision No. 123 in accordance with the map as amended by the staff, subject to all departmental requirements as contained in Planning Commission minutes dated April 12, 1983, noting the map is in compliance with the General Plan, and including the stamp on the map indicating "development of these parcels shall be subject to evaluation under the provisions of Proposition "R" and any of its implementing ordinances in effect at the time prior to building permit issuance." Motion seconded by Councilman DeMirjyn and failed by the following vote:
AYES: Councilmen DeMirjyn and Gorman
NOES: Councilmen Martinez, Johnson; Mayor Roth

NOTE: When Council reconvened at 7:00 P.M., Mayor Roth stated there was some confusion as to the above motion and that he had voted "no" incorrectly. Therefore, he brought the item back to the table, and moved for approval of Minor Subdivision No. 123 as stated above. Motion seconded by Councilman Gorman and carried by the following vote:
AYES: Councilmen DeMirjyn, Gorman, Mayor Roth
NOES: Councilmen Martinez and Johnson

BUDGET STUDY SESSION

Council recessed at 3:45 P.M. to a Redlands Redevelopment Agency meeting and reconvened at 3:55 P.M. and held a budget study session for the following departments: Planning and Community Development, Library, Recreation, Community Center, and Disposal.

The meeting was then recessed at 4:45 P.M. to a closed session for the purpose of discussing items covered under the attorney/client privilege. Council will reconvene at 7:00 P.M. this evening in the Council Chambers.

Public Works Commission - Councilman Gorman reported that the Public Works Commission will meet May 23, 1983, at 3:30 P.M. in the City Hall Conference Room. The main topic will be the feasibility study for a joint water treatment plant with the East Valley Water District.

Housing Commission - Councilman Johnson reported the application for 80-units of Section 202 HUD senior housing will be submitted by June 23, 1983, with an expected answer by mid-October.

Legislative
Conference

Councilman DeMirjyn will be attending the League's Mayor and Councilmembers Legislative Conference in Sacramento next week, and welcomed comments to be conveyed to the legislators. Councilman Martinez expressed his concern with state mandates that do not have funding. Mayor Roth agreed with this concern and added they should give careful consideration to expenditures of funds especially for public employees' retirement. Councilman Gorman commended the individuals that voted down an initiative that would have required mandatory binding arbitration. He also expressed concern with a pending initiative that would remove local agencies' rights to enforce local sign laws.

UNFINISHED BUSINESS

Ordinance
No. 1816

Zone Change
No. 253

Ordinance No. 1816, an ordinance of the City of Redlands establishing Zone Change No. 253, a change of zone from A-1 (Agricultural) District to R-2 (Multiple Family Residential) and R-S (Suburban Residential) Districts for approximately 8.4 acres of property located on the northeast corner of Terracina Boulevard and Brookside Avenue, was given second reading of the title and adopted with waiver of the reading of the ordinance in full, on motion of Councilman Johnson, seconded by Councilman DeMirjyn, by the following roll call vote:
AYES: Councilmembers Johnson, DeMirjyn, Martinez, Gorman; Mayor Roth
NOES: None
ABSENT: None

Ordinance
No. 1788
Amendment

Proposition "R"
Exemptions

The City Attorney has prepared two alternatives for Council consideration regarding housing projects exempt from Proposition "R" and its implementing ordinances. The first alternative exempts projects coming under Ballot Measures "B" and "S" which were approved by the voters in November 1980; the second also includes projects constructed under the Housing Cooperation Law of the California Health and Safety Code.

UNFINISHED BUSINESS (Continued)

Ordinance
No. 1788
Amendment

Proposition
"R"
Exemptions

Councilman DeMirjyn moved to direct staff to prepare an ordinance amending Ordinance No. 1788 with the second and broader alternative, and to include in this amendment the language changes necessary resulting from the Lopez suit regarding lot sales. Motion seconded by Councilman Johnson. Councilman Gorman reiterated his position that there was no basis for the broader interpretation, legally or otherwise. Vice Mayor DeMirjyn expressed his feeling that the broader language was necessary because of a shortage of rental housing, after which the motion carried by the following vote:
AYES: Councilmembers DeMirjyn, Martinez, and Johnson
NOES: Councilmembers Gorman and Roth

CRA 400
Glaze
Sewer
Requirements
Waived

Public Works Director Donnelly explained that Mr. Glaze has filed three applications with the City identified as CRA 400, CRA 400 Revision No. 1, and CRA 400 Revision No. 2. On September 5, 1978, Council waived all Public Works requirements and authorized an improvement agreement for the street lights on the first application, CRA 400. At this time, Mr. Glaze is requesting waiver of Public Works requirements on CRA 400 Revision No. 1, but Mr. Donnelly suggested that Council deal with both revisions to avoid future confusion.
Councilman DeMirjyn moved to continue this item until Mr. Glaze was present. Motion seconded by Councilman Martinez and failed by the following vote:
AYES: Councilmen DeMirjyn, Martinez; NOES: Councilmen Roth, Gorman and Johnson.
Councilman Johnson asserted that this sewer charge was inappropriate in light of the type of business because under Ordinance No. 1810 a lot of the flow from Mr. Glaze's business will not be allowed in the system. He then moved to waive the sewer frontage charges for CRA 400 Revisions Nos. 1 and 2; motion seconded by Councilman DeMirjyn. Following discussion, the motion carried by the following vote:
AYES: Councilmen DeMirjyn, Martinez, and Johnson
NOES: Councilmembers Roth and Gorman (Councilman Gorman felt this was an improper consideration in that the time for an appeal had long since past, and under the Council's rules of order reconsideration can only be granted on the day of the original action or the next legislative day thereafter.)

NEW BUSINESS

Fund
Mentone
Acres Well

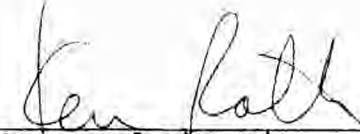
On motion of Councilman DeMirjyn, seconded by Councilman Johnson, the Mentone Acres Well Purchase Agreement was unanimously approved with funding from the Water Fund, and the Mayor and City Clerk were authorized to sign the agreement on behalf of the City.

CONSENT CALENDAR

The following items on the Consent Calendar were unanimously approved on motion of Councilman DeMirjyn, seconded by Councilman Gorman:
a. Option "B" Water Contract to Ray Kosi and Phillip S. Sirianni.
b. Rejection of a claim filed by Thomas Parker as it was found not to be a proper charge against the City.
c. Rejection of a claim filed by Arthur C. Schultz, Jr., as it was found not to be a proper charge against the City.
There being no further business, Council adjourned, on motion at 7:55 P.M., to an adjourned regular meeting to be held on May 24, 1983, at 7:00 P.M., in the Lyon Gallery, A. K. Smiley Public Library, 125 West Vine Street, Redlands.
Next regular meeting, June 7, 1983.

ATTEST:


City Clerk


Mayor of the City of Redlands