

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on September 18, 1984, at 3:00 P.M.

PRESENT

Carole Beswick, Mayor
 Tim Johnson, Vice Mayor
 (7:00 P.M. session only)
 Charles G. DeMirjyn, Councilman
 Oddie J. Martinez, Jr., Councilman
 Richard N. Larsen, Councilman

Dan Rodriguez, Acting City Manager
 Dallas Holmes, City Attorney
 Lorrie Poyzer, City Clerk
 Laura Wingard, Redlands Daily Facts
 Pat Brown, The Sun

ABSENT

None

The meeting was opened by Mayor Beswick with the pledge of allegiance followed by an invocation by Councilman DeMirjyn.

Minutes of the regular meeting of August 21, 1984, were approved as submitted.

Amend
 8/7/84
 Minutes

Councilman Larsen moved to amend the minutes of the meeting of August 7, 1984, page six, regarding Resolution No. 3983, by adding approval for the authorization of an additional appropriation of \$125,554.00 to fund the addition of six police officer positions in the Police Department. Motion seconded by Councilman Martinez and carried by AYE votes of all present.

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

PLANNING AND COMMUNITY DEVELOPMENTBoatman/Olmscheid - Denial of Building Permit Appeal

Boatman/
 Olmscheid
 Appeal

Boatman/Olmscheid has appealed the City's denial of an application for a building permit to develop a parcel designated by Caltrans for future freeway use. On June 12, 1984, the Planning Commission considered two plans for this project. One plan protected the future right of way and one did not. Tract No. 12158 was approved in 1982 which did not protect the right of way. Approval was based on a letter from Caltrans dated April 12, 1982, which concluded that the portion of Boatman Properties that fell within the future freeway-to-freeway interchange of Interstate 10 and Route 30 should not be protected from development for the following reasons: "(1) Any probability of constructing this freeway-to-freeway interchange is more than 20 years in the future; (2) Cost of protection is assumed to be between 100 and 150 thousand dollars. Caltrans' position is that it is not worth investing that much money for a long period of time to protect right of way for a project that may never be constructed; (3) Development of this three-acre parcel, although it would increase substantially the cost of right of way in the future, would not preclude the possibility of developing a future freeway-to-freeway interchange." A subsequent letter from Caltrans dated March 1, 1984, requested that the right of way be protected; the letter was mistakenly not interpreted by staff as a specific request from Caltrans and the Planning Commission approved the plans which did not protect the right of way. Prior to issuance of a building permit, Community Development Administrator Schindler contacted Caltrans and advised them of a pending building permit. On August 6, 1984, he received a letter from Caltrans requesting that a permit not be issued in accordance with Article 4 of the Streets and Highways Code. Permits were subsequently authorized for four buildings not in the future right of way. The appeal is for the two buildings within the future right of way area. At this time, Council is to consider testimony from Caltrans and Boatman/Olmscheid and following consideration of all relevant evidence, make a finding in accordance with the Streets and Highway Code Section 741 for approval or denial of a building permit. Mayor Beswick declared the meeting open as a public hearing.

Mr. Robert Morningstar, Caltrans, informed Council this property is required for the I-10 and Route 30 interchange which will be constructed in the near future, that it would be in the taxpayers' benefit to purchase vacant land rather than improved property, and requested that a permit not be issued. The public hearing was continued to the evening session as there had been a misunderstanding regarding the time set for this public hearing and there were no representatives from the owners of the property present at the 3:00 P.M. session. That evening, the meeting was again declared open as a public hearing for further testimony.

PLANNING AND COMMUNITY DEVELOPMENT (Continued)

Mr. Bill Garvin, representing Boatman/Olmsheid, explained the background of his application; indicated they had received written statements and a deposition stating that this freeway was 20 years down the road and had been told there was a potential to change the configuration of the freeway; but that when they were ready for their building permits, Caltrans changed tactics. Attorney Holmes asked the applicant if it was possible to locate the proposed structures outside the lines of the mapped offramp. The applicant replied that it was not physically impossible to do that, but would be economically unfeasible and that they had tried to get lender consent to move the structures and had been unable to do so.

Mr. Morningstar, Caltrans, again reviewed correspondence from his department; indicated the owners of the property had been informed that the property is to be appraised immediately and that it is Caltrans' intent to attempt to acquire the required right of way shortly thereafter. He urged Council to not increase the taxpayers' expense by having to acquire property with improvements.

Mr. Fred Newcome, Construction Manager with this firm, reviewed the application approval process, noted that grading permits were approved and issued, grading was done, and that off-site improvements were completed. He stated that a few days after receiving a letter from the Planning Department dated July 24, 1984, was the first he knew that Caltrans was going to stop their project.

Council briefly recessed at 8:00 P.M. and reconvened at 8:10 P.M.

There being no further comments from the audience, the public hearing was closed. Councilman Larsen moved to grant a building permit to Boatman/Olmsheid because the property of which the mapped highway location is a part is of such nature that the owner of the land will be substantially damaged by the refusal to grant the permit. Motion seconded by Councilman Johnson. Councilmembers DeMirjyn and Martinez were against granting the permit because it will cost the taxpayers more money to take over improved property. Vice Mayor Johnson stated this was an unfortunate piece of legislation and that we should inform Assemblyman Leonard of this situation for assistance to change the law. The motion then passed by the following vote:

AYES: Councilmen Johnson, Larsen; Mayor Beswick
NOES: Councilmen DeMirjyn and Martinez

Tentative Tract No. 12207 - Hutton Associates

Councilman Martinez moved to approve the Environmental Review Committee's Negative Declaration for Tentative Tract No. 12207 for the subdivision of four acres of land into 11 lots for property located between Country Club Drive and the most southeasterly City Limit Line, R-A Zone, and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilman Larsen and carried by AYE votes of all present.

Stating that Council finds that pursuant to Section 66473.5 of the California Government Code, Tentative Tract No. 12207 together with the provisions for its design and improvement is consistent with the City's General Plan and any applicable specific plans; that none of the conditions provided in California Government Code Section 66474 exist on this map; and that pursuant to California Government Code Section 66474.6, the discharge of waste from this subdivision apparently will not result in violation of existing requirements prescribed by the Santa Ana Regional Water Quality Control Board pursuant to Division 7 of the California Water Code, Councilman Martinez moved to approve Tentative Tract No. 12207 based on the findings of the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated September 11, 1984. Motion seconded by Councilman Larsen and carried by AYE votes of all present.

Conditional Use Permit No. 409 - James W. and Arthur D. Braswell

Councilman Martinez moved to approve the Environmental Review Committee's Negative Declaration for Conditional Use Permit No. 409 for a proposed licensed care facility consisting of 120 skilled nursing beds, 40 intermediate care beds and 37 board and care rooms on three acres of land located on the northeast corner of Laurel Avenue and Roberts Street, R-S Zone, and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilman DeMirjyn and carried by AYE votes of all present.

PLANNING AND COMMUNITY DEVELOPMENT (Continued)

Councilman Martinez moved to approve Conditional Use Permit No. 409 based on the findings of the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated September 11, 1984. Motion seconded by Councilman Larsen and carried by AYE votes of all present.

Conditional Use Permit No. 412 - George Sewell

Councilman DeMirjyn moved to approve Conditional Use Permit No. 412, an application to utilize an existing home located at 404 Brookside Avenue for administrative and professional office purposes, A-P Zone, based on the findings of the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated September 11, 1984. Motion seconded by Councilman Martinez and carried by AYE votes of all present.

Minor Subdivision No. 141 - City of Redlands Redevelopment Agency

All requirements as contained in Council minutes dated August 21, 1984, having been complied with, it is the recommendation of the Planning and Community Development Office that final approval be given Minor Subdivision No. 141. On motion of Councilman DeMirjyn, seconded by Councilman Martinez, this recommendation of the Planning and Community Development Office was approved by AYE votes of all present.

Conditional Use Permit No. 392 - Dr. Edmund Dombrowski - Time Extension

Councilman Martinez moved to grant a time extension for Conditional Use Permit No. 392 until July 19, 1985. Motion seconded by Councilman DeMirjyn. Councilman Larsen asked if there were any provisions under this conditional use permit to prevent demolition of the building. Attorney Holmes replied that since this was not required under this application, the only protection available to Council was to not grant the extension and include the requirement under a new application. Mr. Bru Reynolds, Business Manager for Dr. Dombrowski, assured Council the house would not be demolished while the applicant was looking at other alternatives. Motion to grant the time extension was then approved by AYE votes of all present.

Conditional Use Permit No. 396 - St. Mary's Church - Waiver of Condition Request

On advise of Attorney Holmes, this request was withdrawn from the agenda and referred to the Planning Commission for consideration at their September 25, 1984 meeting.

Minor Subdivision No. 130 - Dr. Robert Streeter - Final Approval

All requirements as contained in the Council minutes dated September 20, 1983, having been complied with, it is the recommendation of the Planning and Community Development Office that final approval be given Minor Subdivision No. 130. On motion of Councilman Larsen, seconded by Councilman Martinez, this recommendation of the Planning and Community Development Office was approved by AYE votes of all present.

Tentative Tract No. 12711 - East Valley Partners - Final Approval

All requirements as contained in Council minutes dated August 21, 1984, having been complied with, it is the recommendation of the Planning and Community Development Office that final approval be given Tentative Tract No. 12711. On motion of Councilman Larsen, seconded by Councilman Martinez, this recommendation of the Planning and Community Development Office was approved by AYE votes of all present.

Acceptance of Parcel Map No. 8784 - Russ E. Hatle

On motion of Councilman Martinez, seconded by Councilman Larsen, Parcel Map No. 8784 as required by CRA No. 490 was accepted by Council by AYE votes of all present.

Council recessed at 3:40 P.M. to a Redevelopment Agency meeting and reconvened at 3:50 P.M. to a closed session for the purpose of discussing matters covered under attorney/client privilege. Council reconvened at 7:00 P.M.

PUBLIC HEARINGS

Resolution
No. 3988

Amendment
No. 1 to
Specific Plan
No. 25

Public hearing was advertised for this time and place for Resolution No. 3988, a resolution adopting Amendment No. 1 to Specific Plan No. 25 as recommended by Redlands Planning Commission Resolution No. 612. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this specific plan amendment. Pat Meyer, representing East Valley Partners, concurred with the recommendation of the Planning Commission and urged approval of this resolution. There being no further comments, the public hearing was declared closed.

Councilman Martinez moved to approve the Negative Declaration for Amendment No. 1 to Specific Plan No. 25 and directed staff to file and post a "Notice of Determination" in accordance with City guidelines. Motion seconded by Councilman Johnson and carried unanimously. Councilman Martinez moved to approve Resolution No. 3988, a resolution of the City Council of the City of Redlands adopting Amendment No. 1 to Specific Plan No. 25. Motion seconded by Councilman Johnson and carried unanimously.

Ordinance
No. 1850

Specific Plan
No. 33

Public hearing was advertised for this time and place for Ordinance No. 1850, which adopts Specific Plan No. 33 for the development of 18 acres of land located on the southwest corner of Alabama Street and Lugonia Avenue, as recommended by Redlands Planning Commission Resolution No. 613. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this Specific Plan. Pat Meyer, representing Centennial Developers, urged approval of this Specific Plan. In response to Councilman Larsen's questions, Mr. Meyer indicated all the traffic signals on Alabama Street will be synchronized when this project is completed. There being no further comments, the public hearing was declared closed.

Councilman Martinez moved to approve the Negative Declaration for Specific Plan No. 33 and directed staff to file and post a "Notice of Determination" in accordance with City guidelines. Motion seconded by Councilman DeMirjyn and approved unanimously. Ordinance No. 1850, an ordinance of the City Council of the City of Redlands adopting Specific Plan No. 33, was given its first reading of the title by City Clerk Poyzer, and on motion of Councilman Martinez, seconded by Councilman Johnson, further reading of the ordinance was unanimously waived. Ordinance No. 1850 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for October 2, 1984, on motion of Councilman Martinez, seconded by Councilman DeMirjyn.

emolition
ermit Delay

Public hearing was advertised for this time and place to confirm, modify, or reject the findings of the Historic and Scenic Preservation Commission regarding a demolition permit for a structure located at 244 Terracina Boulevard. Mayor Beswick declared the meeting open as a public hearing on this matter. Mr. Bru Reynolds, business manager for Dr. Dombroski, stated the application will abide by the decision of the Historic and Scenic Preservation Commission. There being no further comments, the public hearing was declared closed. Councilman Johnson moved to direct staff to delay issuance of a demolition permit for 244 Terracina Boulevard for 90 working days in accordance with Ordinance No. 1828. Motion seconded by Councilman Larsen and carried unanimously.

U.P. 404

Queen
Development

Public hearing was advertised for this time and place for Conditional Use Permit No. 404 for a 100-unit senior citizen board and care facility located on the north side of Cypress Avenue, approximately 150 feet west of Redlands Boulevard, R-2-2000 Zone. Assistant Community Development Administrator Cozen reported that Council had instructed the applicant to meet with the adjacent property owners in an effort to resolve their differences. Two adjacent property owners (Princess Goodwin and Margaret Wilson) requested that the westerly alley not be vacated and that the buildings be set back more than the 33 feet from their rear property lines as was recommended by the Planning Commission. Meetings have been held but it has been reported to staff that there is still no agreement between the parties. Mayor Beswick declared the meeting open as a public hearing.

Pat Meyer, representing McQueen Development, addressed Council and told them he had come into the picture last week to assist and had met with the adjacent property owners. He stated the developer has indicated he would be willing to change the structures near the rear property of the adjacent owners to single story and retain the 33-foot setback; he noted that a 50-foot setback would cause redesigning for

PUBLIC HEARINGS (Continued)

parking. Mr. Meyer felt the developer had shown cooperation, but that the adjacent property owners are still insisting on the 50-foot setback.

Mrs. Margaret Wilson, 347 East Cypress Avenue, stated that Mr. Meyer had met with her only last Friday and she was still concerned with the density. She felt the setback should be determined by the lot lines instead of the houses. She questioned if Mr. McQueen was complying with the conditional use permit by only building on two-thirds of the property and wanted to know if he could come back later and build more units on the same four acres. She concluded her presentation stating she wished to go on record as desiring 50 feet from her lot line to the patio of a unit.

Mr. Andy Goodwin, 301 East Cypress Avenue, also questioned why the 100 units were only going to be built on two-plus acres rather than the entire four acres. He stated this development would change their lives by blocking the view which they have enjoyed for so many years and by the lack of privacy this large complex with high density would cause. He pleaded with Council, asking them how much change did his family have to put up with when all they were asking for was enough setback. He questioned how Proposition "R" would apply to this project and asked the City Attorney several questions regarding Ordinance No. 1000. He concluded by stating he did not feel Mr. Meyer had really been thoroughly briefed; that his offer tonight would mitigate the impact, but that it still was not enough.

Mr. Cozen explained the project was not going to be built on the entire four acres but that it did comply with Code and that if further development was desired on this parcel, it would also have to comply with Code.

Councilman Larsen asked the neighbors if they would be willing to meet again with the Planning staff and developer to further discuss what had been offered at this meeting as he felt the neighbors had not really had enough time to make a decision. This was agreeable to them; therefore, Councilman Larsen moved to continue this public hearing to the next regular meeting on October 2, 1984, at 7:00 P.M. and directed staff to set up meetings with representatives of McQueen, Mrs. Goodwin, and Mrs. Wilson. Motion seconded by Councilman Martinez and carried unanimously.

ORAL PETITIONS FROM THE FLOOR

Hank Peterson, a downtown merchant, asked for the City's assistance in cleaning all streets and alleys in the downtown area on a consistent schedule. His main concern was the alley behind his place of business running east and west between Orange and Fifth Streets and State Street and Citrus Avenue which he stated was filthy.

Proposition "R"

Speaking for a number of people present in the audience, Mr. Robert Mitchell read from a prepared statement, which is on file in the Office of the City Clerk, to provide Council with some of the thoughts the original framers of Proposition "R" concerning Council's recent action to remove multiple family residential developments from the restrictions of Proposition "R." Mr. Mitchell told Council that the drafters of Proposition "R" considered a dwelling unit to be any habitable unit, and that Proposition "R" states precisely this in Section 3 where it places a limitation of 450 dwelling units "including single family, multiple family and mobile home." Overall, he thought the City Attorney's analysis of possible legally permissible changes to the City's application of Proposition "R" was excellent, but that the original intent of Proposition "R" was to limit growth -- not to just develop high quality developments which was the conclusion reached by Attorney Holmes. Mr. Mitchell urged Council to rescind their previous action to delete multifamily dwellings from Proposition "R" controls and to enter into a dialogue with the citizens of Redlands before any further action is taken.

Proposition "R"
Workshop

Following Mr. Mitchell's presentation, Mayor Beswick asked Councilmembers to consult their calendars in order to set a time for a workshop to discuss Proposition "R." By consensus, October 16, 1984, at 7:00 P.M. was scheduled for this purpose.

Councilman DeMirjyn asked if Council would consider Mr. Mitchell's request at this time, but no action was taken.

Historic
Workshop

Also established was a time for a workshop to study the draft Historic Element and Ordinance; said workshop will be held on October 30, 1984, at 7:00 P.M.

COMMISSION/BOARD MATTERSSimonds
Park

Parks Commission - Councilman Larsen reported that the engineering has been completed for the realignment and general improvements of Garden Street at Mariposa and Rossmont Drives. The City Attorney is assisting in the acquisition of a right-of-way parcel, but since the engineering has been completed, the Simonds Park could be constructed prior to the completion of the street work as long as the grades of the park met the grades of the proposed street improvement. Acting City Manager Rodriguez was directed to proceed with the construction.

Vice Mayor Johnson reminded Council that a vacancy exists on the Parks Commission. He also requested that an appropriate plaque in memory of James Laurer be obtained for his family.

COMMUNICATIONSMain Street
Conference

Mayor Beswick reported on the Main Street Video Conference which occurred earlier today. There were 91 participants in Redlands. She expressed appreciation to Leader Video for providing the screen, Cable TV for their assistance, GTE for the installation of the special phone, and the Junior Women of the Contemporary Club for their refreshments. Thanks to everyone involved, this video conference was most successful.

Council authorized a letter regarding the United Way campaign to be sent to each City employee.

The Air Resources Board will hold a meeting on September 26 in Sacramento concerning the redesignation of Riverside and San Bernardino Counties to attainment areas for federal ambient air quality standard for nitrogen dioxide.

Vice Mayor Johnson desired information regarding grant programs available through the California Energy Commission be made available to the residents of Redlands.

Councilman DeMirjyn informed Council he would not be present at the October 2, 1984, Council meeting as he will be in Washington, D.C. on that date.

UNFINISHED BUSINESSCustomer
Parking

Councilman DeMirjyn moved to authorize the use of the lower level of the Sixth and Citrus Parking Garage to allow customer parking after 5:30 P.M. and until 7:30 A.M. daily. Motion seconded by Councilman Martinez and carried unanimously. Councilman Larsen requested extra police patrol for awhile at this parking lot.

Sales Tax
Audit

Following brief discussion, Councilman DeMirjyn moved to contract with Management Services Institute to conduct a sales tax audit using Alternate A from their proposal dated August 27, 1984. Motion seconded by Councilman Martinez and carried unanimously. The cost for the audit services and report will be \$6,800.00 which will be completed in six weeks.

Physical
Fitness
Program

Acting City Manager Rodriguez presented a letter from the YMCA regarding exclusive corporate membership prices for the City's employees for a full privileged fitness membership. The cost would be \$6,750.00 and covers a membership program with Redlands City employees only. Family membership is available at an additional cost. Mr. Rodriguez asked Council if they wished this to be included as a part of the benefit package and indicated time would be needed to look into the liability aspect of such a program. Vice Mayor Johnson felt that \$20 per employee was a good deal and this seemed to be a good thing to offer our employees. Councilman Larsen moved to table this matter to the next regular meeting to allow time to ask each employee unit for their opinion. Motion seconded by Councilman Martinez and carried unanimously.

NEW BUSINESSResolution
No. 3990Sales & Use
Tax Records

On motion of Councilman Larsen, seconded by Councilman DeMirjyn, Resolution No. 3990, a resolution of the City Council of the City of Redlands authorizing examination of the State Board of Equalization's sales and use tax records by the City Treasurer, was unanimously adopted.

Resolution
No. 3989

Police Fees

Councilman Martinez moved to adopt Resolution No. 3989, a resolution of the City Council of the City of Redlands establishing a schedule of fees to be charged by the Police Department and rescinding Resolution No. 3978. Motion seconded by Councilman DeMirjyn and carried unanimously.

NEW BUSINESS (Continued)

Claim

On motion of Councilman Martinez, seconded by Councilman DeMirjyn, the claim of Wilma Fisher was unanimously found not to be a proper charge against the City and therefore rejected.

Declaration
of
Dedication

Councilman Martinez moved to accept a Declaration of Dedication for street right-of-way on Orange Tree Lane from Harold and Velma Mae Daniels, Robert W. West, and Sue Ann Brenner. Motion seconded by Councilman DeMirjyn and carried unanimously.

There being no further business, Council adjourned at 9:05 P.M.

Next regular meeting, October 2, 1984.

Carole Resnick
Mayor of the City of Redlands

ATTEST:

Sandra Rogers
City Clerk

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