MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on October 4, 1988, at 3:00 P.M.

PRESENT

Carole Beswick, Mayor Barbara C. Wormser, Mayor Pro Tem Charles G. DeMirjyn, Councilmember Tim Johnson, Councilmember William E. Cunningham, Councilmember

John E. Holmes, City Manager Dallas Holmes, City Attorney Lorrie Poyzer, City Clerk John de Leon, The Sun Sheryl Oring, Redlands Daily Facts

**ABSENT** 

None

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

Minutes of the regular meeting of September 20, 1988, were approved as submitted.

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

### PLANNING AND COMMUNITY DEVELOPMENT

#### General Plan Citizen Committee

On motion of Councilmember Beswick, seconded by Councilmember Wormser, the following people were unanimously appointed to the General Plan Citizen Committee:

Professional

John Zdrojewski Robert Obrien Seniors Harriet Hone Youth Stacia (Stockton) Fields Business Jane Holden University of Redlands Guenter Posjena Karen Dunn Historical Building Trades Bob Roberts Redlands 2000 Nancy Hensel Non-Profit Carole Wesson Cultural Shirley Harry At Large, Northwest Larry Powell At Large, Southwest

At Large, Southeast School District

Marshall Phelps Kenneth Jeske Donn Heaney Donald Poe

The following categories remain to be filled: other Higher Education, Agricultural, and At Large Northeast (two), Northwest (one), and Southeast (one). Councilmembers will submit their nominations to the City Clerk by Tuesday, October 12, 1988.

# East Valley Corridor Study

Community Development Director Shaw reviewed the East Valley Corridor Study. The Planning Commission completed their review of the Specific Plan and related General Plan Amendment and Agricultural Preserve Removal on August 9, 1988. Council agreed they would like to hold a study session prior to the public hearings on this matter and concurred to meet on Friday, October 28, 1988, at 3:00 P.M. for that purpose.

# Lighting and Landscaping Improvements

City Manager Holmes recommended that the City Council consider authorizing him to negotiate a contract for engineering services for the creation of a City-wide street lighting and landscaping district. Councilmember Cunningham felt we needed public input prior to expending \$40-50,000 for an engineering report, but the motion to table this matter did not carry. Councilmember Wormser moved to authorize the City Manager to negotiate with an engineering firm for engineering services for the establishment of a 1972 Act Special Assessment District for street lighting and landscape maintenance for Redlands and bring back the results for Council's study and with the understanding the City is under no obligation to sign a contract. Motion seconded by Councilmember Johnson and carried with Councilmember Cunningham voting NO. Council also directed the City Manager to see if other cities have a street lighting assessment district and requested more information about the procedures.

### Resolution No. 4423 - Street Vacation No. 92 - Fifth Street

On motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, Resolution No. 4423, a resolution of the City Council declaring its intention to vacate a portion of Fifth Street from 448 feet north of Redlands Boulevard, north to the AT & SF Right-of-Way, Street Vacation No. 92, and setting the public hearing on this street vacation for 7:00 P.M. on November 1, 1988, was adopted with Councilmember Cunningham voting NO.

## Resolution No. 4430 - Library Grant Application

On motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, Resolution No. 4430, a resolution of the City Council of the City of Redlands approving the application and the project agreement for history and archeology grant funds for the A. K. Smiley Public Library Project from the California Wildlife, Coastal, and Park Conservation Act of 1988, was unanimously adopted. These grant funds will be used to complete the Library's seismic retrofit.

### Resolution No. 4431 - Annexation No. 68

On motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, Resolution No. 4431, a resolution of the City Council of the City of Redlands approving Annexation No. 68, approximately 3.3 acres of property located between Elder Way and East Sunset Drive and the site of one single family residence, LAFCO No. 2509, was unanimously adopted.

### COMMUNICATIONS

Barking Dogs

Mayor Beswick expressed concern about our current procedure regarding complaints from residents about barking dogs and directed the Police Chief to suggest an alternate method to handle this type of situation.

Public Records

Mayor Beswick expressed concern about public records being removed from City Hall and suggested the City needed to establish a policy. City Attorney Holmes suggested referring to the California Government Code for the definition of public records. This request was referred to staff for a report and recommendation.

Truck Traffic

Councilmember DeMirjyn reported many complaints are being received from residents in the northern portion of town about sand and gravel trucks traversing on Orange Street and San Bernardino Avenue. City Engineer Mutter responded that he has been in communication with other public agencies and the two sand and gravel companies to work out a solution which would transfer this traffic onto Alabama Street. Carl Zickert expressed concern about the new operation which was reviewed by the ERC on September 26, 1988, and urged the City to stay on top of this situation.

A City/County conference will be held December 1-2, 1988, in Lake Arrowhead. Councilmembers Wormser, Johnson, and Cunningham expressed an interest in attending this meeting.

The League of California Cities has provided information about the five insurance initiatives on the November ballot and indicated support for Proposition 100, NO positions on 103, 106, and NO on 101 and 104. Best, Best & Kreiger has also provided a summary of all of the propositions on this November ballot.

City Attorney Holmes explained the "private attorney general rule" and asked Council if they would join the Supreme Court brief with the League of California Cities who do not want this rule. Councilmember Johnson moved to support the City Attorney's request. Motion seconded by Councilmember Wormser and carried with Councilmember Cunningham voting NO.

Council recessed at 4:41 P.M. to a Redevelopment Agency meeting and reconvened at 4:42 P.M. to a closed session for the purpose of discussing personnel matters, property acquisition with our negotiator, and pending litigation. In accordance with State law, the City Attorney prepared a confidential memo to Council providing justification for the pending litigation portion of the closed session. Council reconvened at 7:15 P.M.

Commendations

Mayor Beswick presented a Certificate of Commendation to Police Officer Robert Yzquierdo for his 14 months of undercover work submerging himself in the drug subculture world. Officer Yzquierdo received a standing ovation from the over-flowing crowd in the Council Chambers. Police Chief Brickley stated he would also receive the Department's highest honor, the Medal of Valor, and an award from the State Attorney General for his outstanding performance. Certificates of Commendation were also presented to Sergeant Thomas P. Fitzmaurice, the supervisor of the Sepcial Investigations Detail, and Detectives Russell J. Dalzell, Rogelio Garcia, and David Anady. More than 75 arrests resulted from this investigation. Mayor Beswick also expressed the City's appreciation to the families of these men for their support.

Centennial Gift Mayor Beswick presented a plaque to Best, Best & Kreiger which was accepted by Dallas Holmes thanking the firm for their gift of funds to upgrade the lights at the Redlands Bowl. This donation was received as a result of the Centennial Gift Catalog.

Proclamation

Mayor Beswick presented a proclamation to Margaret Barnett declaring the week of October 2-8, 1988, as Mental Awareness Week as a way to reduce stigma and promote understanding of the mentally ill and their families.

Proclamation

Mayor Beswick presented a proclamation to Fire Chief Ray Mills, School District Representative Bob Hodges, and Perry Hayes, a representative of the Redlands Independent Insurance Agents declaring the week of October 9-15, 1988, as Fire Prevention Week commemorating the Great Chicago Fire of 1871 and calling upon the people of Redlands to participate in activities at home, work, and school and to do as the 1988 theme suggested, "A Sound You Can Live With ... Test Your Smoke Detector."

Grant Monies

On behalf of the Redlands Area Historical Society, Marcia Bandel presented Mayor Beswick a check for \$2,000.00 which represented the balance of their grant to the City to complete the Historical and Cultural Inventory. Mayor Beswick thanked members of the Society for their assistance over the years.

Funds
School
Crossing
Guards

Due to the presence of a large number of parents from Crafton School, Mayor Beswick moved the request for authorization to fund and hire additional school crossing guards from the New Business section of the agenda for Council's action at the beginning of the meeting. Police Chief Brickley reported the Redlands Unified School District Board eliminated busing of children in a number of geographical areas surrounding Crafton Elementary School. The elimination of busing has created a situation in which a number of young school children walking to and from school and crossing busy, through streets has increased dramatically. A petition signed by 537 citizens has been received requesting additional safety measures be implemented promptly to reduce the chance of injury to the children. Speaking on behalf of the petitioners, Terri Tanner urged Council to declare this situation an emergency and to take immediate steps to provide for crossing guards and other necessary safety measures. President of the Crafton PTA Eileen A. Sanborn also asked for Council support and cooperation. It was noted that the intersection of Citrusand Wabash Avenues already has a four-way stop and that students south of Citrus Avenue have bus service. Following discussion relating to the locations for these safety measures, Councilmember Johnson moved to authorize the additional appropriation required for the appropriate signage and to hire four additional School Crossing Guards to be posted at Colton Avenue and Dearborn Street, Citrus Avenue and Dearborn Street, Wabash Avenue and Independence Avenue, and Dearborn Street and Independence Avenue. Motion seconded by Councilmember DeMirjyn and carried unanimously.

# PUBLIC HEARINGS

Appeal

Deming Hotel

Public hearing was set for this time and place to hear an appeal to the Historic and Scenic Preservation Commission's approval of the proposed redesign of the swastika on the Deming Hotel building located at 526 Orange Street. The symbol on the building has been used for hundreds of years by Persians, Indians, Japanese, and American Indians as a good luck symbol. Mr. Deming was a friend of the Navajo's and included the symbol in the building in 1913, probably to represent his friendship with the Indians. The issue today appears to be whether the educational and historic value of the symbol outweighs the concerns and emotional harm caused to some Jews and to others. During this rather emotional hearing, speakers were limited to three-minute presentations. Urging removal or covering the symbol were: David Saffin, Amilia Lev, and Raymond Dean Howard. Urging that the symbol remain on the building were: G. V. (Smitty) Smith, Robert J. Sargent, Ray Aranda, Marcia Bandel on behalf of The Redlands Area Historical Society, Inc., Theresa Petite, James Hammond, Wes Hayden, and Meryl McDowell. Staff liaison to the Historic and Scenic Preservation Commission Donald McCue explained the vote recorded at their meeting on this matter. Marie Deming, daughter-in-law of Mr. Deming, explained her memories of the building and the symbol and urged leaving the building and the symbol intact. David Baer suggested adding some other designs to the building in keeping with the American Indian symbols. The owner and developer of the property Robert W. Ashin indicated they supported the people who wanted the symbol removed or covered up and that he personally was not happy with the Commission's decision. Following discussion, Councilmember DeMirjyn's motion to remove the symbol was defeated. Councilmember Wormser moved to preserve the symbol and cover it in a manner that could be removed at some future time. Motion seconded by Councilmember Beswick and carried with Councilmember Cunningham voting

Ordinance No. 2047

Zone Change No. 322 Public hearing was advertised for this time and place for Ordinance No. 2047, an ordinance adopting Zone Change No. 322, a change of zone from A-1 (Agricultural) District to A-P (Administrative and Professional) District for approximately six acres of property located at the northeast corner of Iowa Street and Barton Road, as recommended by the Redlands Planning Commission Resolution No. 725. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this change of zone. None being forthcoming, the public hearing was declared closed.

Councilmember Johnson moved to approve the Environmental Review Committee's Negative Declaration for Zone Change No. 322 and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilmember

DeMirjyn and carried unanimously.

Ordinance No. 2047, an ordinance amending Ordinance No. 1000 of the City of Redlands by adopting an additional land use district map as part of the official land use zoning map and effecting Zone Change No. 322, was given its first reading of the title by City Clerk Poyzer, and on motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, further reading of the ordinance text was unanimously waived. Ordinance No. 2047 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for November 1, 1988, on motion of Councilmember Wormser, seconded by Councilmember DeMirjyn.

Council briefly recessed at 9:04 P.M. and reconvened at 9:15 P.M.

Appeal

Beaver Clinic Parking Public hearing was set for this time and place to hear an appeal to three conditions of approval for Planning Commission Review and Approval No. 275 (Revised) for the Beaver Medical Clinic relating to the parking requirements for an expansion to the Beaver Medical Clinic. On behalf of the applicant, Pat Meyer explained in detail the Beaver Clinic's concerns. Also speaking on behalf of the Beaver Clinic were James Fallows, R. Craig Wesson, and David DeVolk. David Baer, who owns the residence immediately adjacent to the vacant lot in the 500 block of Cajon Street that is being considered for a parking lot expressed his concern but was assured a public hearing would be held if the Beaver Clinic decided to proceed with that proposal. Representing the Trinity Nursery School Diane Christenson reported they had a good working relationship with the Beaver Clinic but help was needed with the parking situation. Councilmember Johnson moved to grant the appeal as follows:

Condition 19d - Amend with the addition "within 60 days notice by the City."

Condition 33 - Delete entirely.

Condition 31 (Corrected at 11/1/88 meeting)

- Amend to require provisions for a minimum of 88 additional parking spaces for review and approval by the Planning Commission prior to building occupancy through the options contained in the Planning Commission minutes dated August 9, 1988.

Condition 19c - Amend with the requirement that they report back to Council in six months.

Motion seconded by Councilmember Cunningham and carried unanimously. Mayor Beswick suggested participation in a study for a parking district in the area bounded by Brookside Avenue, Cypress Avenue, Nordina Street, and Alvarado Street.

Council briefly recessed at 10:25 P.M. and reconvened at 10:30 P.M. Councilmember Wormser moved to continue New Business Items 14c and 14d, Ordinance No. 2048 and Resolution No. 4429, relating to the establishment of public building fees, to November 15, 1988. Motion seconded by Councilmember Johnson and carried with Councilmember Cunningham voting NO.

Councilmember Wormser directed staff to report back to Council with recommendations to correct any discrepancies in the parking requirement codes.

Resolution No. 4426

Historic Resource Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the Merriman residence located at 701 West Olive Avenue as an historic property. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this matter. None being forthcoming, the public hearing was declared closed. Councilmember DeMirjyn moved to adopt Resolution No. 4426, a resolution of the City Council approving this recommendation. Motion seconded by Councilmember Johnson and carried unanimously.

Resolution No. 4427

Historic Resource Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the Hammett residence located at 1004 Center Street as a historic property. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this matter. None being forthcoming, the public hearing was declared closed. Councilmember DeMirjyn moved to adopt Resolution No. 4427, a resolution of the City Council approving this recommendation. Motion seconded by Councilmember Johnson and carried unanimously.

Resolution No. 4428

Historic Resource Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate all properties on Normandie Court and 618 West Clark Street and 621 West Clark Street as a historic and scenic district. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this matter. None being forthcoming, the public hearing was declared closed. Councilmember DeMirjyn moved to adopt Resolution No. 4428, a resolution of the City Council approving this recommendation. Motion seconded by Councilmember Wormser and carried unanimously.

Ordinance No. 2022

Garbage and Solid Waste Ordinance No. 2022 relating to garbage and solid waste regulations was scheduled for second reading at this meeting. Following a presentation from Charlotte Burgess who felt it would be a mistake to adopt this "green blight" on our streets which is being imposed on the residents who vote for Measure O to assist in beautifying our City, Councilmember Beswick moved to table the ordinance. Motion seconded by Councilmember DeMirjyn and carried unanimously. Council directed staff to send another questionnaire to the recent new users, enforce the set-out requirements, and investigate and report back about once-a-week pickup for those residents who desire less service. Councilmember Wormser expressed concern that we need to adopt an ordinance to prohibit scavengers before the recycling program begins.

Ordinance No. 2040

Trees

Ordinance No. 2040, an ordinance of the City of Redlands amending Chapter 12.52 of the Redlands Municipal Code relating to trees in public places, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember DeMirjyn, seconded by Councilmember Johnson, further reading of the ordinance text was unanimously waived. Ordinance No. 2040 was adopted on motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, by the following vote:

AYES: Councilmembers Wormser, DeMirjyn, Johnson,

Councilmembers Wormser, DeMirjyn, Johnson, Cunningham; Mayor Beswick

NOES: None

ABSENT: None

Resolution No. 4414

Ordinance No. 2046

Trees

Growth Initiative Guidelines rules and regulations for the planting, maintenance and removal of trees along City rights-of-way and within public places, in accordance with Ordinance No. 2040, was unanimously adopted on motion of Councilmember Wormser, seconded by Councilmember DeMirjyn.

Following an expressing of concern by Councilmember Cunningham concerning Ordinance

Resolution No. 4414, a resolution of the City Council of the City of Redlands establishing

Following an expressing of concern by Councilmember Cunningham concerning Ordinance No. 2046 which would adopt implementation and interpretation for the City growth moderation initiatives to include mobilehomes placed on a space in a mobilehome park within the meaning of the phrase "single family homes on existing lots of record" in Section 4 of Measure N, Councilmember Johnson moved to table this ordinance. Motion seconded by Councilmember DeMirjyn and carried with Councilmember Cunningham voting NO.

Public Works Commission Councilmember Johnson moved to reappoint James L. Moore, Max Gonzales, and Michael B. Sonnen to four-year terms on the Public Works Commission commencing November 16, 1988. Motion seconded by Councilmember Wormser and carried with Councilmember Cunningham voting NO.

Ordinance No. 2049

Point Rating System Ordinance No. 2049, an ordinance of the City of Redlands amending Title 19 of the Redlands Municipal Code in further implementation of the land use initiatives moderating growth to preserve Redlands' unique environment and character which would allow the City Council by resolution to delay or even delete specific allocation periods if necessary to revise the point system or to take account of vested rights projects, was read by title only by City Clerk Poyzer, and on motion of Councilmember Johnson, seconded by Councilmember DeMirjyn, further reading of the ordinance text was unanimously waived. Ordinance No. 2049 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for November 1, 1988, on motion of Councilmember Johnson, seconded by Councilmember Cunningham.

Outside Sewer Connections Utilities Director Corneille reported the Friendly Hills Mobile Home Park, located at 2140 Mentone Boulevard in Mentone, is about 15 years old and has 162 mobilehomes and a recreation hall. The City currently serves the Park water, but sewage disposal is by onsite systems. For many years the Park has experienced problems with their onsite systems. Staff recommended that the Utilities Department allow connections to existing dwelling units outside the City experiencing problems with their onsite disposal systems and resultant public health issues to connect to the City's sewer system and be exempt from the 150 connection limitation of Measure N. Councilmember Cunningham expressed concern that this would set a precedent and that we needed to communicate to the County they cannot continue to approve septic systems. He was convinced to approve staff's recommendation with the stipulation that a letter from the County and Regional Water Quality Board be received showing us the findings that make this request unique. Councilmember DeMirjyn moved to direct staff to prepare a guideline, in accordance with Section 16 of Measure N, to allow existing dwelling units outside the City water documented public health emergency problems related to their onsite sewage disposal systems to connect to the City's sewer system without being included in the Measure N outside-City connection limitation. Motion seconded by Councilmember Wormser and carried unanimously.

Resolution No. 4435

Community Development Director Shaw presented Resolution No. 4435 which allows additional permits to be made available to qualified development projects pursuant to Redlands Municipal Code Section 19.24.030. Expressing dissatisfaction with Measure N's application and implementation in regards to custom homes and mobilehomes were Michael Flesh, Dick Burkhart, Bud Nichols, James C. Coffin, Michael J. Atencio, Mike Novak,

Building

CLARIFIED AT ULARIFIED TANG Steven Rosenberg, and Dan Steblay. Following discussion, Council concurred to change Resolution No. 4435 to reflect that in October of this year 30 building permits would be available for nonvested single-family homes and mobilehomes and 20 building permits would be available for other nonvested projects (tracts and apartments) and in November of this year 20 building permits would be available for single-family homes and mobilehomes and 15 for other nonvested projects (tracts and apartments). Councilmember Johnson then moved to adopt Resolution No. 4435 as amended. Motion seconded by Councilmember Wormser and carried unanimously.

Claim

On motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, the claim of Donald Osowski in the amount of \$1,500.00 was found not to be a proper charge against the City and therefore was unanimously rejected.

Monitoring Reports

Funds

City Engineer Mutter presented the monthly contract monitoring reports for the projects currently being administered by the Engineering Services Department.

Brine Pond Agreement

On motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, Council unanimously approved an agreement with Schaefer-Dixon Associates for a subsurface evlauation and preparation of a closure plan at our Wastewater Treatment Plant brine pond and the appropriation of \$20,000.00 from the Wastewater Operating Reserves to cover the cost of the study.

Lease Agreement

On motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, Council unanimously approved an amendment to the 1986 Lease Agreement with San Bernardino County for the installation of additional communications equipment and construction of a new building at the City's Sunset Reservoir site.

Traffic Study

On September 6, 1988, Mr. Nicholas Guia of 1211 Serpentine Drive appeared before the City Council requesting the installation of traffic controls on Serpentine Drive between Highland and Crescent Avenues. Council requested that staff prepare a traffic study and submit it to the Traffic Commission for review and recommendation. The Traffic Commission reviewed the study on September 22, 1988. The Commission agreed that all recommendations outlined in the study be implemented, and the Redlands Police Department also agreed with these recommendations. All recommendations with the exception of the installation of the stop sign for southbound traffic on Serpentine Drive at Highland Avenue can be installed under administrative authority from the Redlands Traffic Ordinance. The instllation of the stop sign must be authorized by resolution which will be forthcoming. On motion of councilmember DeMirjyn, seconded by Councilmember Wormser, Council unanimously accepted the recommendations of the traffic study for Serpentine Drive between Highland Avenue and Crescent Avenue.

Gas Tax Transfer

On motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, Council unanimously authorized transfer of \$100,000.00 in the Gas Tax Fund from the Judson Street Land Acquisition to a new account entitled Wabash Avenue Land Acquisition to allow the City to proceed with street improvements which will also include construction of sidewalks along Wabash Avenue as requested by a number of Crafton School parents now that the Redlands Unified Shcool District has eliminated a portion of the bus service to Crafton School.

Funds

Property Acquisition On motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, Council unanimously approved an appropriation of Measure O funds for the acquisition of real property, Assessor's Parcel Numbers 167-101-03 and 167-101-06, located between Texas and Webster Streets approximately 275 feet north of San Bernardino Avenue, in the amount of \$700,000.00 and approximately \$2,000.00 in escrow fees, as recommended by the Strategic Planning/Open Space Committee and the Parks Commission.

Funds

Airport Security Gates On motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, Council unanimously authorized an additional appropriation to the Aviation Operating Fund in the amount of \$1,100.00 for improvements to the Airport Security gate system and the installation of a card reader for activation of the gates for entry into the Airport.

Easement

On motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, Council unanimously approved granting an easement and right-of-way to the Southern California Edison Company for the development of electrical utilities on the Redlands Municipal Airport.

Grant Acceptance On motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, Council unanimously accepted a grant award in the amount of \$80,528.00 from the State of California, Department of Conservation, and approved appropriation of these funds for Curbside Recycling, Keep Redlands Beautiful, and for the Mini Clean-Up Day.

There being no further business, the meeting adjourned at 1:00 A.M. Next regular meeting, October 18, 1988.

ATTEST:

Caro le Descoress

Mayor of the City of Redlands

City Clerk

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