

MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on September 18, 1990, at 3:00 P.M.

PRESENT Charles G. DeMirjyn, Mayor
Carole Beswick, Mayor Pro Tem
William E. Cunningham, Councilmember
Swen Larson, Councilmember
Dee Ann Milson, Councilmember
Dan Rodriguez, Acting City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Jeff Dillon, Redlands Daily Facts
Pamela Fitzsimmons, The Sun

ABSENT None

The meeting opened with an invocation by Councilmember Larson followed by the pledge of allegiance.

Proclamations - Mayor DeMirjyn and Mayor Pro Tem Beswick presented Redlands Community Hospital Public Relations Director Marcia Williams and Community Relations Coordinator Tammy Novak proclamations declaring the week of October 7-13, 1990, as Mental Illness Awareness Week and October 21-27, 1990, as National Eating Disorder Awareness Week.

Minutes of the special meeting of August 31, 1990, the regular meeting of September 4, 1990, and the special meeting of September 7, 1990, were approved as submitted.

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

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - September 11, 1990

Appeal - Councilmember Beswick moved to appeal the decision of the Planning Commission to deny Minor Exception Permit No. 76, an application to allow the placement of a masonry wall higher than the permitted height within the required front yard setback area for property located at 201 Westwood Lane, and review the application at the October 2, 1990, Council meeting. Motion seconded by Councilmember Cunningham and carried unanimously.

Councilmember Cunningham explained the 4-3 vote for approval of Tentative Tract No. 15040, an application for the subdivision of approximately 52.1 acres into 58 lots for property generally located easterly of Ford Street and southerly of Golden West Drive, and noted he would have liked to have seen the application continued.

Subdivisions in the A-2 and Agricultural Preserves

Community Development Director Shaw explained that in recent months, two requests have come before the Preliminary Review Committee for subdivisions in the A-2 (Agricultural Estate) Zone, which allows 1.5 acre lots. This area is in the Agricultural Preserve. Resolution No. 2812 established the Agricultural Preserve in 1970 and established a list of compatible uses for the Preserve. All other uses are prohibited until land is removed from the Preserve. Typically, land is removed from the Preserve before it is zoned or subdivided for single-family homes. Nowhere in the Resolution does it say that a subdivision is allowed in an Agricultural Preserve; however, Item 9 in the list of uses implies that subdivisions of five or more acres per lot are allowed. Mrs. Bea Huettig contends that the A-2 zoning should supersede and have priority over the Agricultural Preserve Resolution. The other request would be best addressed in an amendment to the PRD Ordinance. Pat Meyer addressed Council indicating his confusion with the interpretation of the minimum lot size in the A-2 zone and did not agree with the staff analysis. Councilmember Cunningham desired input from the Planning Commission and Open Space Committee. Council concurred with this and no further action was taken at this meeting.

Tentative Tract No. 10461 - Andy Chung - Time Extension

On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously granted a one year time extension to April 21, 1991, for Tentative Tract No. 10461, a 9.3 acres parcel of land located on the northwest corner of Pioneer Avenue and Church Street.

Tentative Tract No. 13700 - Andrew and Thora Gay Beall - Time Extension - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously granted a one year time extension to July 5, 1991, for Tentative Tract No. 13700, a 5.98 acres site located on the westerly side of Lakeside Avenue between Brookside Avenue and Magnolia Avenue.

COMMUNICATIONS

Crafton Hills - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously appointed Councilmember Cunningham as the City's representative on the Crafton Hills Preservation Committee.

Council recessed at 4:03 P.M. to a Redevelopment Agency meeting and reconvened at 4:04 P.M. to a closed session for the purpose of discussing personnel matters, property disposition, and pending litigation. In accordance with State law, the City Attorney prepared a confidential memo to Council providing justification for the closed session. Council reconvened at 7:00 P.M.

PUBLIC HEARINGS

Ordinance No. 2124 - Capital Charges - Public hearing was advertised for this time and place to consider Ordinance No. 2124, an ordinance of the City of Redlands amending Chapters 3.44, 3.48, and 13.40 of the Redlands Municipal Code relating to sewer and water capital improvement charges and water source acquisition charges. Ordinance No. 2124 was prepared in accordance with the requirements of Assembly Bill 1600 which cover the capital charges imposed on development including those for defraying the cost of water and wastewater facilities required to provide incremental capacity to serve a specific development's requirements. The Municipal Utilities Department's Water and Wastewater Rate Study Updates, dated June 1990, provide the detailed backup required to comply with the provisions of AB 1600. 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. Ordinance No. 2124 was read by title only by City Clerk Poyzer, and on motion of Councilmember Larson, further reading of the ordinance text was unanimously waived. Ordinance No. 2124 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for October 2, 1990, on motion of Councilmember Larson, seconded by Councilmember Beswick.

Ordinance No. 2125 - Water and Sewer Rates - Public hearing was advertised for this time and place to consider Ordinance No. 2125, an ordinance of the City of Redlands amending Chapters 3.52 and 3.62 of the Redlands Municipal Code relating to water and sewer service fund fees and charges. The Water and Wastewater Rate Study Updates, dated June 1990, presented the detailed results of the rate study. Ordinance no. 2125 has been prepared to implement the recommended findings of the Rate Study Updates. 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. Ordinance No. 2125 was read by title only by City Clerk Poyzer, and on motion of Councilmember Larson, seconded by Councilmember Beswick, further reading of the ordinance text was unanimously waived. Ordinance No. 2125 was introduced and laid over under the rules with second reading scheduled for October 2, 1990, on motion of Councilmember Larson, seconded by Councilmember Beswick, by the following vote:
AYES: Councilmembers Beswick, Larson, Milson; Mayor DeMirjyn
NOES: Councilmember Cunningham

Appeal - Conditional Use Permit No. 540 - Tentative Tract Map No. 14762 - Steven Rosenberg - This project was reviewed by the Planning Commission for a 47-unit project for this site of 14.5 acres located west of University Street between Pennsylvania and San Bernardino Avenues. The surrounding land is zoned R-1 on all sides, and most of the surroundings are developed with single family homes. This site was zoned R-E (Residential Estate) in August 1989. The larger lots were required by Measure N. After the project was denied on a tie vote by the Planning Commission, the City Council appealed the project.

The City Council considered the appeal on July 17 and August 15, 1990. On August 15, the applicant submitted a drawing showing the project reduced to 43 units in response to concerns that the Council expressed about lot sizes. Council continued the meeting to

give staff the opportunity to review the plans and consider proper Conditions of Approval. Staff directed the applicant to prepare complete new plans for circulation to appropriate departments.

The reduction of four units allowed the smallest lots to be increased in size from 6,000 square feet to 7,200 - 8,200 square feet, with a full width public street in front of these lots on Rose Arbor Circle. Thus no lot in the development is smaller than the minimum for the surrounding area. A total of 21 percent open space is maintained, even though Lot 4A is slightly smaller than in the previous plan. Due to the reduced number of lots, the applicant deleted the pool area. A significant design improvement was made due to wider lots, as several more homes now have side-facing garages.

Grading has been a recurring issue on this project. The new plans bring up a new grading concern to staff. Many back-back lots have 3 to 5.5 feet grade separations between pads. In previous plans, the difference was almost always less than one foot. Staff has added a condition to adjust grading to that back-to-back pads are not more than two feet apart or to review the issue with the Planning Commission. Staff recommended approval of this project subject all of the revised Conditions of Approval.

Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments. The applicant, Steve Rosenberg, urged approval of the revised plans. There being no further comments the public hearing was closed.

Councilmember Beswick moved to approve the Negative Declaration with mitigation measures for Conditional Use Permit No. 540 and Tentative Tract No. 14762 and directed staff to file and post a Notice of Determination in accordance with City guidelines. Motion seconded by Councilmember Larson and carried with Councilmembers Cunningham and Milson voting NO.

Councilmember Beswick moved to approve Conditional Use Permit No. 540 based on the following findings:

1. That the use applied for of Conditional Use Permit No. 540 at the location noted is proper for a Conditional Use Permit;
2. That the use is necessary, essential, or desirable for the public welfare and convenience and for the development of the community, and conforms to the elements and objectives of the General Plan;
3. That the use is not detrimental to existing or permitted uses in the zone where it would be located;
4. The size and shape of the site are adequate;
5. The site properly relates to streets and highways designed and improved to carry the type and quantity of traffic to be generated by the proposed use;
6. The conditions set forth on this Conditional Use Permit are deemed necessary and reasonable to protect the public health, safety and general welfare, the best interests of the neighborhood, and the intent of the General Plan;
7. That substantial evidence exists in the record that the proposed project will be consistent with the existing General Plan; and

8. That Conditional Use Permit No. 540 therefore be approved subject to all departmental recommendations.

Motion seconded by Councilmembers Larson and carried with Councilmembers Cunningham and Milson voting NO.

Councilmember Beswick moved to approve Tentative Tract No. 14762 subject to conditions of approval, and based upon the following findings:

1. That the proposed map is consistent with applicable general and specific plans;
2. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
3. That the site is physically suitable for the type of development;
4. That the site is physically suitable for the proposed density of development;
5. That the design of the subdivision or the proposed improvements are not likely to cause substantial Environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems;
7. That the design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision;
8. 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; and
9. That substantial evidence exists in the record that the proposed project will be consistent with the existing General Plan.

Motion seconded by Councilmember Larson and carried with Councilmembers Cunningham and Milson voting NO.

Appeal - Variance No. 462 - Conditional Use Permit No. 544 - Saul and Associates - The applicant is proposing to convert an historic house located at 454 Cajon Street to a mixed-use project. At this time, the applicant found it necessary to request this matter be continued to October 2, 1990. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments. Neighbors Pamela Weathers and Lawrence Heim indicated they supported this application. There being no further comments, the public hearing was continued as requested on motion of Councilmember Beswick, seconded by Councilmember Cunningham.

Resolution No. 4696 - General Plan Extension - public hearing was set for this time and place to consider Resolution No. 4696, a resolution of the City Council of the City of Redlands declaring the necessity for an extension of deadline by the State of California Office of Planning and Research for preparation and adoption of a General Plan revision. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed.

Councilmember Cunningham moved to approve Resolution No. 4696. Motion seconded by Councilmember Milson and carried unanimously.

PUBLIC COMMENTS

On behalf of the San Bernardino Valley Municipal Water District, Board Member Pat Milligan responded to a report prepared and presented by Best, Best & Krieger last month regarding water issues. Mr. Milligan explained why the San Bernardino Valley Municipal Water District was formed and invited members of the Council to bring their concerns to the Advisory Board meeting.

Anthony Alberico addressed Council regarding an on-going situation with his neighbor's motorhome.

Referring to the Council's action on September 4, 1990, for Minor Subdivision No. 192, Bob Gomez asked Council to direct staff and the City Attorney to meet with him and his legal counsel to discuss implementation of Measure N based on the definition approved by Council for natural slope.

UNFINISHED BUSINESS

Rental Agreement - Councilmember Cunningham moved to approve the rental agreement for 11126 Iowa Street and direct that said rental funds be deposited into the Measure O Fund Account. Motion seconded by Councilmember Beswick and carried unanimously.

Trolley Car Barn - The request for authorization to sell the Trolley Car Barn was removed from the agenda and no action was taken.

Ordinance No. 2127 - PRD Regulations - Ordinance No. 2127, an ordinance amending the Redlands Municipal Code by adopting Amendment No. 202 relating to Planned Residential Development regulations, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Beswick, seconded by Councilmember Larson, further reading of the ordinance text was unanimously waived. Ordinance No. 2127 was adopted on motion of Councilmember Larson, seconded by Councilmember Milson, by the following vote:

AYES:	Councilmembers Beswick, Cunningham, Larson, Milson; Mayor DeMirjyn
NOES:	None
ABSENT:	None

Ordinance No. 2129 - Fee and Service Charges - Ordinance No. 2129, an ordinance of the City of Redlands amending Section 3.16.040 of the Redlands Municipal Code relating to fee and service charges, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Larson, seconded by Councilmember Milson, further reading of the ordinance text was unanimously waived. Ordinance No. 2129 was adopted

on motion of Councilmember Larson, seconded by Councilmember Milson, by the following vote:

AYES: Councilmembers Beswick, Cunningham, Larson, Milson; Mayor DeMirjyn

NOES: None

ABSENT: None

NEW BUSINESS

Ordinance No. 2130 - Public Works Commission - Ordinance No. 2130, an ordinance of the City of Redlands amending the Redlands Municipal Code pertaining to the membership of the Public Works Commission, was read by title only by City Clerk Poyzer, and on motion of Councilmember Beswick, seconded by Councilmember Milson, further reading of the ordinance text was unanimously waived. Ordinance No. 2130 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for October 2, 1990, on motion of Councilmember Beswick, seconded by Councilmember Milson.

Funds - Cemetery - Hydraulic Lift - Following a presentation by Cemetery Supervisor Don Graves, Councilmember Beswick moved to authorize the allocation of \$12,000.00 for the purchase of a hydraulic lift for Hillside Memorial Park. Motion seconded by Councilmember Larson and carried unanimously.

Ordinance No. 2134 - Ordinance No. 2134, an ordinance of the City of Redlands amending Section 12.12.120 of the Redlands Municipal Code regarding liability for sidewalk maintenance, was removed from the agenda to allow for further study by staff.

The following items were acted upon during the afternoon session:

Claim - On motion of Councilmember Beswick, seconded by Councilmember Larson, the claim of Claire Schmitt in the amount of \$130.00 was found not to be a proper charge against the City and therefore was unanimously rejected.

Claim - On motion of Councilmember Beswick, seconded by Councilmember Larson, the claim of Sheila Villa in the amount of \$135.00 was found not to be a proper charge against the City and therefore was unanimously rejected.

Resolution No. 4692 - Annexation No. 72 - On motion of Councilmember Cunningham, seconded by Councilmember Milson, Council unanimously approved Resolution No. 4692, a resolution of the City Council of the City of Redlands amending Resolution No. 4617 and determining the amount of property tax revenues to be exchanged between and among the County of San Bernardino and the City of Redlands resulting from the jurisdictional change described by LAFCO No. 2572, Annexation No. 72.

Resolution No. 4693 - Rideshare Week - On motion of Councilmember Larson, seconded by Councilmember Beswick, Council unanimously approved Resolution No. 4693, a

resolution of the City Council of the City of Redlands supporting the “Keep California Moving” Program by declaring the week of October 1-5, 1990, as Rideshare Week. Finance Director Kaenel briefed Councilmembers on the activities planned for the City employees to encourage ridesharing.

Four-Way Stop - City Engineer Mutter prepared a report regarding a four-way stop warrant study at the intersection of Redlands Boulevard and California Street. Discussion between the Engineering Departments of the Cities of Redlands and Loma Linda are proceeding to determine how a four-way stop could be implemented safely at the intersection.

Water Contract - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously approved a B Contract Water Agreement between the City of Redlands and Ray W. and Linda K. Forgie.

Resolution No. 4694 - Fire Agreement - Funds - Mr. Ray Beggs expressed his concerns about the contract for fire protection of wildlands being seasonal rather than year around. On motion of Councilmember Cunningham, seconded by Councilmember Milson, Council unanimously approved Resolution No. 4694, a resolution of the City Council of the City of Redlands, California, approving participation with the California Department of Forestry and Fire Protection for fire protection of wildlands within the incorporated City of Redlands, authorized execution of the agreement with the California Department of Forestry and Fire Protection, and approved an additional appropriation of \$29,881.60

Child Care Coordinator - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously authorized a permanent part-time position in the Recreation Division with the classification of Child Care Coordinator to oversee the City’s licensing and related child care needs.

Aircraft Tiedown Permit - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously approved the Aircraft Tiedown Permit for aircraft utilizing the City-operated facility at Redlands Airport and authorized the Airport Manager to act for the City in the negotiation and signing of the permit.

Agreement - Recyclable Materials - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously approved an agreement as amended by the City Attorney for the purchase of recyclable materials with CR&R, Incorporated for the purchase of recyclable materials collected by the City of Redlands recycling program.

Solid Waste Collectors - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously approved the addition of four (4) Solid Waste Collectors for the Municipal Utilities Department’s Solid Waste Division Recycling Program.

Resolution No. 4695 - Wellhead Treatment - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously approved Resolution No.

4695, a resolution of the City of Redlands authorizing acceptance and execution of a grant agreement with the State of California, Department of Health Services, for the construction of wellhead treatment facilities at the Texas Street well field, and authorized the execution of said agreement.

1989-90 Encumbrances - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously approved appropriation of all year-end 1989-90 encumbrances.

Zanja Agreement - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously approved entering into the Common Use Agreement between the City and the San Bernardino County Flood Control District for roadway and drainage improvements on Wabash Avenue at Zanja Creek.

There being no further business, the meeting adjourned at 8:10 P.M. Next regular meeting, October 2, 1990.