

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on October 2, 1990, at 3:00 P.M.

PRESENT

Charles G. DeMirjyn, Mayor
Carole Beswick, Mayor Pro Tem
William E. Cunningham, Councilmember
Sven Larson, Councilmember
Dee Ann Milson, Councilmember

James D. Wheaton, 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 Mayor Pro Tem Beswick followed by the pledge of allegiance.

Proclamation - Mayor DeMirjyn presented Fire Chief Raymond Mills, captain Rick Bullard, and Inspector Tim Marshburn a proclamation declaring the week October 7-13, 1990, as Fire Prevention Week and called upon the people of Redlands to participate in activities at home, work and school, and to do as the Fire Prevention Week theme suggests, "Make your place fire safe: hunt for home hazards!"

Minutes of the special meeting of September 18, 1990, and the regular meeting of September 18, 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 25, 1990

On motion of Councilmember Beswick, seconded by Councilmember Larson, the report of the last Planning Commission meeting was unanimously acknowledged as received.

Subdivisions in the A-2 Zones and Agricultural Preserves

The City Council continued this item from September 18, 1990, requesting feedback from the Planning Commission regarding subdivision and lot size within the Agricultural Preserve areas. The Commission considered the staff memorandum and public testimony

and unanimously agreed upon a minimum lot size of 2½ acres. The Commission found that historical lots have been subdivided to less than five acres but on only one occasion was a lot created of less than 2½ acres. The Commission recommended that Resolution No. 2812 be amended to provide for a minimum lot size of 2½ acres for land zoned A-2 in the Agricultural Preserves. Pat Meyer expressed his appreciation for the staff's recommendations and the efforts of the Planning Commission. Richard Thamayer expressed his confusion regarding the underlying zone. Bea Huettig indicated she would prefer the minimum lot to be 1½ acres. Community Development Director Shaw reported the Planning Commission will be holding a study session Friday morning and a public hearing at their regular meeting on Tuesday to address PRD's. With that thought in mind, Councilmember Beswick moved to allow subdivisions in the Agricultural Preserve as long as the minimum lot size for land is 2 ½ acres in the A-2 Zone and directed that an amendment to Resolution No. 2812 be prepared to reflect this action and brought before the City Council. Motion seconded by Councilmember Cunningham and carried unanimously.

I-10 Corridor Beautification Authority

Councilmember Larson moved to appoint Dee Ann Milson as the Redlands representative on the I-10 Corridor Beautification Authority and Sandra E. Andres as the alternate. Motion seconded by Councilmember Beswick and carried unanimously.

Building Permit Allotments - Fourth Quarter

As of September 26, 1990, there have been a total of 313 building permits issued for dwelling units for this calendar year. There are 87 building permit allotments remaining for the rest of the 1990 calendar year. It appears that we have a slight chance of issuing less than 400 permits for dwelling units this year. However, there are enough units in the plan check now and enough mobile home permits available to issue the 44 permits for the fourth quarter of 1990. On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously authorized the allotment of 44 units to be issued for the fourth quarter of 1990.

COMMUNICATIONS

Pharris EIR - City Attorney McHugh reported that the Environmental Impact Report for the Pharris Orange Street Aggregates Processing Plant Permit has been received and will be distributed shortly at which time the 45-day review period will commence. John D. Moore and Kenneth J. Zito expressed their concerns regarding the pre-annexation agreement with C.L. Pharris approved by the City Council on August 15, 1990. The pre-annexation agreement was necessary to finalize the EIR and agreement. Councilmember Milson reported that the noise from the aggregate plants are louder than ever especially around 5:00 A.M. and in the early evening hours. Council directed staff to monitor this situation closely and implement target enforcement.

School Bond Measure - Councilmember Beswick moved to endorse the Redlands Unified School District's Measure R on the November 6, 1990, ballot which would approve a \$38.5 bonded indebtedness for the purpose of building a second high school in the vicinity of California Street and Lugonia Avenue. Motion seconded by Councilmember Larson and carried unanimously.

Council recessed at 4:05 P.M. to a Redevelopment Agency meeting and reconvened at 4:07 P.M. to a closed session for the purpose of discussing pending litigation. In accordance with State law, confidential memos to Council were prepared providing justification for the closed session. Council reconvened at 7:00 P.M.

PRESENTATION

Donation - Mayor DeMirjyn presented a plaque to Clifford Artman in recognition of his \$1,000 gift to the City in memory of his wife Edna Artman. Mr. Artman donated funds to the City for the purchase of an ice machine for the new Senior Nutrition Center.

PUBLIC HEARINGS

Appeal - Variance No. 462 - Conditional Use Permit No. 544 - Saul and Associates

At the request of the applicant, this item was continued from the September 4, 1990, and September 18, 1990, City Council meetings. The applicant is proposing to convert an historic house located at 454 Cajon Street to a mixed-use project. This proposal consists of retaining the existing residential use and converting a portion of the first floor to office space. This proposed office space area would support the applicant and two associates. According to the applicant, she will continue living on the premises. In incorporating a residential use with office, a total of six on-site parking spaces are required. This number includes two covered and four open spaces. The requirements for the two covered parking spaces cannot be provided and so a variance request on this issue was submitted as part of this proposal. The applicant indicates that their clientele are all government agencies and as such require them, a consulting firm specializing in redevelopment, to always visit their offices. Therefore, street parking for her two associates along Home Place or Cajon Street would suffice for required parking. Staff attempted to find variances for reduced parking similar to that being proposed by the applicant. None could be identified. Therefore, what is being requested was not a property right possessed by other property owners in the same vicinity or zone district which is one of the four findings required for approval of a variance. The recognition of parking congestion in the vicinity indicates concern for the impact of insufficient parking suggests that granting of the variance would be detrimental to the public welfare which contradicts another required finding. The Planning Commission could not approve the Conditional Use Permit based on the parking deficiencies and unanimously denied this request.

Mayor DeMirjyn declared the meeting open as a public hearing for further comments (also see minutes of City Council meeting of September 18, 1990). Citing the parking problems in the area, Gary Heroneme, Tara Heroneme and Jon Harrison urged denial of

this application. On behalf of the applicant, Michael Atencio reminded Councilmembers that this applicant will live in the residence, her clientele will not come to the house, and that there were four parking spaces available on site. Glenda Saul, the applicant, urged approval of her application. Planning Commissioners Ray Alexander and Judy Jorgensen explained the decision of the Planning Commission. Councilmember Beswick noted that the next item on the agenda, Ordinance No. 2128, to establish parking incentives for historic structures, should be discussed before taking action on this matter and moved to continue this Saul and Associates applications. Motion seconded by Councilmember Larson and carried unanimously.

Later in the evening, the City Council scheduled a workshop session for October 16, 1990, at 8:30 A.M. and on motion of Councilmember Cunningham, seconded by Councilmember Milson, continued the public hearing on the Saul and Associates applications to October 16, 1990, at the 7:00 P.M. session. Councilmember DeMirjyn voted NO as he desired to approve this variance at this meeting.

Ordinance No. 2128 - Parking Incentives - Public hearing was continued to this time and place to consider Ordinance No. 2128, an ordinance amending the Redlands Municipal Code by adopting Amendment No. 203 relating to parking incentives for historic structures, Redlands Planning Commission Resolution No. 759. The City Council continued this matter to allow further time for analysis. Staff felt it was important to keep in mind that this ordinance does not allow any parking incentives automatically. Incentives must be specifically approved for a project by the Planning Commission on a case by case basis. If the Commission allows an incentive, it would have to be shown that the parking is still safe and that the incentive was truly necessary. It was noted the proposed ordinance exempts properties abutting Cajon Street and within the Early Redlands Historic and Scenic District. Councilmembers suggested scheduling a study session and include members from the Planning Commission, Historic and Scenic Preservation Commission, and Traffic Commission, and agreed to adjourn this meeting to October 16, 1990, at 8:30 A.M. in the City Hall Conference Room for that purpose.

Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments concerning this ordinance. On behalf of the Kimberly-Shirk Association, Steve Spiller urged approval of this ordinance. Gary Heroneme, 527 Fourth Street, invited Councilmembers to come to his neighborhood during the day. There being no further comments, Councilmember Cunningham moved to continue this public hearing to October 16, 1990, at the 7:00 P.M. session. Motion seconded by Councilmember Beswick and carried with Councilmember DeMirjyn voting NO.

Appeal - Minor Exception Permit No. 76 - Robert G. Weaver

Public hearing was advertised for this time and place to consider an appeal to the decision of the Planning Commission (on a 2-2 vote with one abstention) to deny Minor Exception Permit No. 76, an application to allow the placement of a solid masonry wall higher than the permitted height within the required front yard setback area for property located at 201 Westwood Lane, R-E Zone. The Advisory Committee on Fences reviewed this

request on August 2, 1990, and initially recommended denial. However, on August 14, 1990, the Planning Commission referred it back to the Advisory Committee on Fences and there was some conflicting testimony relative to the location, height and configuration of the proposed masonry wall. On August 30, 1990, the Advisory Committee reviewed this request for the second time and based on the new submitted information and a lengthy and thorough on-site inspection, unanimously reversed their initial recommendation for denial.

Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments. Robert Wagner, a neighbor, opposed the installation of a five to six foot wall. The applicant, Robert Weaver, urged Council to approve his request for a variance. There being no further comments, the public hearing was declared closed. Councilmember Larson moved to uphold the appeal on Minor Exception Permit No. 76 based on the findings and recommendation of the Advisory Committee on Fences, and approve Minor Exception Permit No. 76 subject to the following conditions of approval.

1. Approval of the wall location as shown on the new submitted site plan.
2. Wall shall maintain a constant height of five feet and color of stucco to match the exterior of existing house.
3. Red brick columns shall be incorporated as part of the proposed wall. Said columns shall be placed every twenty feet on center and color of brick shall match existing roof.
4. Applicant shall preserve the tall mature tree near the street and re-landscape the area between the curb along Westwood Lane and the proposed wall.
5. The area between the curb and the wall shall be continually maintained with shrubbery or other landscape materials which act to “soften” the impact of the wall.

PUBLIC COMMENTS

Tony Martinez expressed his appreciation to Police Chief Brickley and members of his department who assisted the September 16th Fiesta. Council recessed at 8:25 P.M. when he became abusive with his words towards members of the Council. Council reconvened at 8:27 P.M. after Mr. Martinez left the Chambers.

Anthony Alberico requested Council’s assistance again regarding a motorhome parked in his neighbor’s yard. He reported that someone is living in the vehicle. He also shared an ordinance from the City of San Bernardino that prohibits parking of motorhomes in residential areas; both matters were referred to staff.

UNFINISHED BUSINESS

Ordinance No. 2124 - Water and Wastewater Capital Charges - Ordinance No. 2124, an ordinance of the City of Redlands amending Chapter 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, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Beswick, seconded by Councilmember Cunningham, further reading of the ordinance text was unanimously waived. Ordinance No. 2124 was adopted on motion of Councilmember Beswick, seconded by Councilmember Cunningham, by the following vote:

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

NOES: None

ABSENT: None being forthcoming, the public hearing was declared closed.

President of the Redlands Unified School District's Board of Education Hank Mercado asked Council to defer the increase in the water rates for the School District until the first of July as they had not budgeted for this increase in their current budget. He noted that the School District might have to look into charging the meeting to work out a mutual agreement. City Controller Steve Chapman noted the new rates will not be utilized for approximately 60 days and he did not feel the School's budget would be impacted as seriously as school personnel thought it would and expressed concern about setting a precedent. Council asked that the school officials meet with the City staff. 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, 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. 2125 was adopted on motion of Councilmember Beswick, seconded by Councilmember Milson, by the following vote:

AYES: Councilmembers Beswick, Larson, Milson; Mayor DeMirjyn

NOES: Councilmember Cunningham

ABSENT: None

Councilmember Beswick felt the City needed to be more aggressive in their water conservation program efforts. She also expressed an interest in knowing whether the School District used water conservation methods and suggested this be discussed when the meeting between the City and School District's staff was held.

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 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. 2130 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 being forthcoming, the public hearing was declared closed.

The following matters were acted upon during the afternoon session:

Claim - On motion of Councilmember Beswick, seconded by Councilmember Larson, the claim of Salar Investments in an unknown amount was found not to be a proper charge against the City and therefore was unanimously rejected.

Resolution No. 4691 - Traffic - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously adopted Resolution No. 4691, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: establish no parking zone for 200 feet on the north side of Redlands Boulevard, east of New Jersey Street and erect stop signs on Cambridge and Clock Avenues at Renee Street.

Fire Fighters - M.O.U. - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously approved the 1990-91 Memorandum of Understanding with the Redlands Professional Fire Fighters Association which implemented a 3.8 percent salary increase effective June 25, 1990, and other benefits.

Resolution No. 4697 - Salary - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously approved Resolution No. 4697, a resolution of the City Council of the City of Redlands rescinding Resolution Nos. 4592 and 4725 establishing a salary schedule and compensation plan for City employees, implementing salary increases approved in the Memoranda of Understanding and changes approved in the 1990-91 fiscal year budget.

Funds - Hillside Memorial Park - On motion of Councilmember Beswick seconded by Councilmember Larson, Council unanimously approved an appropriation in the amount of \$53,000.00 for the Phase I Development at Hillside Memorial Park which consists of the development of the garden to be located westerly of the existing mausoleum and an additional 112 spaces for interment.

Uniformed Civilian Volunteer Program Funds - On motion of Councilmember Milson, seconded by Councilmember Cunningham, Council unanimously authorized the Chief of Police to develop and implement a uniformed citizens volunteer program to serve under the direction and supervision of the Police Department, and authorized an additional appropriation of \$1,000.00 to cover the costs of converting two used police vehicles for the program.

Transportation Development Act Claim - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously authorized the filing of a claim for Transportation Development Act (TDA), Article I, Street and Road Funds in the amount of \$551,443.00 to the Southern California Association of Governments.

Funds - Grove Irrigation - Councilmember Cunningham moved to appropriate \$35,000.00 from the Citrus Grove Account to convert the citrus grove at Nevada and Palmetto from furrow irrigation to a fan jet irrigation system. Motion seconded by Councilmember Beswick and carried unanimously.

Interim City Manager - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously approved the employment agreement hiring James D. Wheaton as Interim City Manager effective September 24, 1990, and setting Mr. Wheaton's salary at \$6,785.00 per month.

Child Care Services - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously authorized the Community Services Department, Recreation Division, to apply for funding through the California State Department of Education for a federally funded planning grant for before and after school child care.

Parks Budget - On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously authorized the following amendments of the budget amounts with the Park Development account:

36-6595-4487	(RHS)	from \$80,000 to \$139,000
36-6595-4543	(Prospect)	from \$136,000 to \$140,000
36-6595-4513	(Clement)	from \$180,000 to \$208,606
with sub-accounts to include:		
88-1-36002		\$164,000
BB-36-109		24,171
BB-36-314		<u>20,435</u>
		\$209,606

36-6595-4503 (Senior Nutrition) - delete

Council recessed at 9:47 P.M to a closed session for the purpose of discussing pending litigation. The City Attorney prepared a confidential memo providing justification for the closed session. No report was expected following the closed session at which time Council adjourned to an adjourned regular meeting to be held on October 16, 1990, at 8:30 A.M. in the City Hall Conference Room, 30 Cajon Street, Redlands.

Next regular meeting, October 16, 1990.