MINUTES of an adjourned regular meeting of the City Council of the City of Redlands held in City Hall, 30 Cajon Street, on September 17, 1991, 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

James D. Wheaton, City Manager
Ronald C. Mutter, Assistant City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Steven Church, Redlands Daily Facts
Pamela Fitzsimmons, The Sun

ABSENT

None

The meeting was opened with an invocation by Mayor Pro Tem Beswick and a moment of silence in memory of former Planning Commissioner James Butler who died last week followed by the pledge of allegiance.

PRESENTATIONS

Mayor DeMirjyn presented a Certificate of Appreciation to Larry Statler in recognition of his significant contribution on the Town Center Advisory Commission. Mr. Statler has unselfishly devoted his time and energy to Town Center contributing to the expansion of programs and the development of Market Night.

Mayor DeMirjyn presented a Certificate of Commendation to Fire Inspector Leonard Temby for his outstanding efforts in diverting a potentially dangerous fire during the Fireman's Muster at the University of Redlands into a minor incident, thus avoiding injury.

Mayor DeMirjyn acknowledged the presence of City Council candidates Bill Turnpaugh, Bill McCalmon and Bill Cunningham.

Minutes of the adjourned regular meeting of August 20, 1991, the regular meeting of August 20, 1991, the adjourned regular meetings of August 26,1991, August 27, 1991, September 3, 1991, the regular meeting of September 3, 1991, and the adjourned regular meeting of September 10, 1991, were approved as submitted.

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

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - September 10, 1991

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

COMMUNICATIONS

Bees Permit

At the last Council meeting, Michael Celano requested a permit to establish at least one “observation” (glass-sided for viewing) bee hive on property located at 1417 Pleasantview Drive and to have one to three colonies of bees on the same property. Council directed Mr. Celano to contact his neighbors and provide written record of their opinion on his request. Mr. Celano presented a petition signed by 12 neighbors who did not mind if he kept a small number of honeybees in his backyard with the understanding that if the honeybees ever became a nuisance, they would be removed. Councilmember Beswick moved to grant Mr. Celano a permit to keep or have bees on his property in accordance with Chapter 6.20 of the Redlands Municipal Code. Motion seconded by Councilmember Milson and carried unanimously.

Prospect Park Gates

Community Services Director Dan Rodriguez reported that a meeting was scheduled on September 10, 1991, with the neighbors in the Prospect Park area to review the proposed agreement regarding the gates within this area. Although the meeting was poorly attended, neighbors have contacted Mr. Rodriguez indicating there had not been enough notification time. Councilmember Beswick countered that this was the same document reviewed some time ago and that it should not be postponed any further. Councilmember Cunningham desired that the Councilmembers be allowed to review the agreement before it was submitted to the property owners. Council concurred with Councilmember Beswick’s request to mail the proposed agreement to all involved, hold a meeting with the interested parties, and report back to the City Council by October 1, 1991.

Haunted House

On behalf of the Kiwanis Club of Redlands - Morning, Robert McNally requested the City Council’s permission to use the City-owned property located at 180 South Eureka Street for their annual

"Haunted House" fund-raiser. He reported they had contacted the neighbors and no one was opposed to this event; the Contemporary Club will allow them to use their parking lot; the Kiwanis Club will pay for the electricity and any other expenses; and Kiwanis International will provide a Certificate of Insurance for $1,000,000.00 in liability and name the City of Redlands as additional insured. The hours of the Haunted House will be 6:00-9:00 P.M. for a six-day period, October 26-31, 1991. Councilmember Larson moved to approve this request. Motion seconded by Councilmember Beswick and unanimously approved by BOO vote.

Senior Nutrition Center

Councilmembers discussed the need to continue study on a site for the senior nutrition center and concurred to establish a task force consisting of citizens from the Senior Nutrition Program, Joslyn Senior Center and members from the City Council and City staff. Councilmembers Cunningham and Milson volunteered to serve on this task force.

Black House

On behalf of the First Nationwide Bank, owner of the property located at 1502 Orange Street (a structre designated historic under the provisions of the Historic and Scenic Preservation Ordinance), Bud Roberts asked for assistance in their request for demolition of this structure. Although the City Council did not offer any clear commitment on this request, Mr. Roberts did obtain their assurance the City would not proceed at this time with any improvement work which would then revert to a lien on the property. Mr. Roberts was advised the City Attorney to proceed through the proper channels with his application. If the permit is approved, Mr. Roberts offered scavenger privileges to anyone who desired. Councilmember Beswick strongly urged the Historic and Scenic Preservation Commission to look into establishing a "boneyard" to save and store some pieces of this structure and for future situations such as this.

Reports

Councilmember Larson announced he has been elected Vice President of the Inland Empire Division of the League of California Cities. Councilmember Beswick announced a conference to be held on October 18, 1991, by the Gangs and Drugs Task Force.

UNFINISHED BUSINESS

Pharris EIR

Consideration and certification of the Final Environmental Impact Report for the agreement adopting restated conditions of approval for the Pharris Orange Street Aggregates Processing Plant permit and adoption of the agreement adopting restated conditions of approval for the Pharris Orange Street Processing Plant permit was continued to this time and place. Mayor DeMirjyn emphatically stated that after due consideration, he will not approve this application unless they are willing to write into the contract a provision for a five-year review of the haul road needs. Councilmember Beswick stated a letter was received from the City of Highland dated September 17, 1991, which appeared to indicate a change of position on their part on the haul road issue; therefore, she moved to continue this matter to the October 15, 1991, meeting and directed staff to meet with the City of Redlands of Highland's staff to review and explore their proposal and that the Air Quality District staff also be involved in this meeting. Motion seconded by Councilmember Larson and carried with Councilmember DeMirjyn voting NO.

Council recessed at 4:05 P.M. to a Redevelopment Agency meeting and reconvened at 4:06 P.M. to a closed session for the purpose of discussing property acquisition. Council reconvened at 7:00 P.M. Mayor DeMirjyn acknowledged the presence of another candidate on the November ballot: Lorrie Poyzer, City Clerk.

PUBLIC HEARINGS

Appeals - Tentative Tract No. 14790 and Conditional Use Permit No. 558 - BEK Engineering

Public hearings were advertised for this time and place to consider appeals by the City Council on the following applications: Tentative Tract No. 14790, a subdivision of 374 acres of land into 160 lots for property located on the east side of Alessandro Road between San Timoteo Canyon Road and Sunset Drive; Conditional Use Permit No. 558, an application for a 158-lot custom residential development, equestrian facility and 40-acre public park on the subject property. Councilmember Beswick was not present during this public hearing due to a possible conflict of interest. Principal Planner Paula McGrew reviewed the applications and the Planning Commission decisions to approve the requests.

Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments. On behalf of the applicant, Pat Meyer indicated their concurrence with the staff recommendations and the Planning Commission decisions. On behalf of the Thieves Canyon Riding Club, Wendie Johnson and Carol Cox explained their handicapped riding program and offered to take over the management of the Sunset Hills Ranch. On behalf of the Citizens Committee for the Sunset Hills Ranch, Tess Hahn presented a letter of recommendations dated September 17, 1991, for the viability of the Sunset Hills Equestrian Center. Rebekah Dexter expressed concern about the easement across her neighboring property which is not included in the title report. Mr. Meyer assured Council they were more than willing to work with the Dexters to grant them a usable easement, and responded to Mr. Cunningham's concerns. There being no further comments, the public hearing was closed on motion Councilmember Larson, seconded by Councilmember Milson by unanimous vote.

Councilmember Larson moved to approve Tentative Tract No. 14790 subject to the conditions of approval contained in the Planning Commission minutes dated August 13, 1991; subject to the following conditions as requested by Councilmember Cunningham; and based upon the following findings:

Additional conditions:

1. All lots shall carry a deed restriction prohibiting their ability to subdivide in the future.
2. All trails shall have public access in perpetuity.
3. The Sunset Hills Ranch Equestrian Center shall remain in good operation as an equestrian center or if it turns out to be economically infeasible, that the property in which the equestrian center is located be retained as open space or recreation area. The City shall be granted an open space easement over the equestrian center property as holder of the open space easement.
4. The City shall have access and right to maintain the mitigation measures for the deer herd on each lot.

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 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 the 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 the 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.
9. That substantial evidence exists in the record that the proposed project will be consistent with the existing General Plan.

Motion seconded by Councilmember Milson and carried with Councilmember Beswick abstaining.

Councilmember Milson moved to approve Conditional Use Permit No. 558 subject to the conditions of approval contained in the Planning Commission minutes dated August 13, 1991, and based on the following findings:

1. That the use applied for 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.

Motion seconded by Councilmember Larson and carried with Councilmember Beswick abstaining. Councilmember Beswick returned to the City Council meeting at 7:35 P.M.

Ordinance No. 2159
In-Lieu Parking

Public hearing was continued to this time and place to consider Ordinance No. 2159, an ordinance of the City of Redlands amending Chapter 18.164 of the Redlands Municipal Code by adopting Zoning Ordinance Text Amendment No. 211 relating to parking and loading space requirements. This ordinance would allow the payment of a fee in specific areas of the City where the applicant cannot meet the City's parking requirements. Properties in the existing parking district are excluded from the in-lieu parking fee plan. The in-lieu fee will be paid into a special fund which will be used for the development of parking facilities in the affected areas. Due to a possible conflict of interest, Councilmember Larson left the Council Chambers and did not participate in the discussion on the ordinance. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments. Arthur Gregory addressed Council and indicated his support of this approach although later during the hearing, he withdrew his support. Jon Harrison felt this ordinance was a good concept but felt it needed further study. Both speakers were concerned that money collected from one property may not solve the parking problem in that neighborhood. Public Works Director Mutter explained that all development impact fees were kept in separate funds in accordance with State law; that this ordinance provides for one district and the fee is based on property values. He indicated three districts could be established with the requirement that money collected in a particular district could be spent in the same district. Council discussed the process at length noting we needed to address the property owner's concerns. Councilmember Cunningham moved to continue the public hearing and consideration of Ordinance No. 2159 to October 1, 1991. Motion seconded by Councilmember Milson and carried with Councilmember Larson abstaining.

Ordinance No. 2167
Street Sweeping Fee

Public hearing was continued to this time and place to consider Ordinance No. 2167, an ordinance of the City of Redlands adding Chapter 5.96 to the Redlands Municipal Code to establish a street sweeping fee. The current methodology to establish the street sweeping fee is based on the total number of residential units in the City plus water meter size of all non-residential uses. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Ordinance No. 2167 was read by title only by City Clerk Poyzer, and on motion of Councilmember Milson, seconded by Councilmember Beswick, further reading of the ordinance text was unanimously waived. Ordinance No. 2167 was introduced and laid over under the rules with second reading scheduled for October 1, 1991, on motion of Councilmember Milson, seconded by Councilmember Beswick, with Councilmember Cunningham voting NO as he continues to disagree with the overhead charge.

Agricultural Preserve Removal

Public hearing was advertised for this time and place to consider Resolution No. 4794 amending the agricultural preserve boundaries by removing property general located south of Pioneer Avenue, west of Wabash Avenue and was continued to October 1, 1991.

PUBLIC COMMENTS

Terrance L. Emershy read a letter dated September 15, 1991, regarding the General Plan Committee meeting of May 19, 1991. Mr. Emershy reported that his comments made during the Public Comments portion of the meeting were not included in the minutes and requested that said minutes be corrected accordingly.

UNFINISHED BUSINESS (Continued)

Ordinance No. 2154 Electrical Code

Ordinance No. 2154, an ordinance of the City Council of the City of Redlands adopting the National Electrical Code, 1990 Edition, and related changes thereto, was given its second reading of the title 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. 2154 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

Noise Ordinance

City Attorney McHugh presented Ordinance No. 2173, an ordinance of the City of Redlands adding Chapter 8.72 to the Redlands Municipal Code to control noise sources within the City.

He explained that this ordinance is based on similar ordinances adopted by cities throughout the State. This ordinance establishes special exceptions from the noise standards for certain activities, including emergency work. It also permits the City to grant noise variances where there is a strong public interest in allowing the performance of the activity creating the noise. The noise control program established by this ordinance will be administered by the Community Development Department. Councilmember Beswick suggested discussing this ordinance in a workshop session. Councilmember Milson agreed and moved to continue this matter to the October 1, 1991, morning study session. Motion seconded by Councilmember DeMirjyn and unanimously carried.

Narcotics Enforcement Team

On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously authorized the City of Redlands to assign one full time investigator and one unmarked police unit to the program. On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously authorized the contractual promotion of one police officer to investigator and the contractual hiring of one police officer to fill the vacancies created by the City's participation in the Inland Regional Narcotics Enforcement Team.

Funds
Police Canine

On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously authorized an additional appropriation of $3,500.00 for the Police Department to be used to purchase and replace a previously authorized canine and authorized the purchasing agent to establish an on-going replacement account and fund to replace canines which are no longer serviceable.

Resolution No. 4799
Texas Street Well Field

On motion of Councilmember Larson, by Councilmember Milson, Council unanimously approved Resolution No. 4799, a resolution of the City of Redlands authorizing amendment of a grant agreement with the State of California Department of Toxic Substances Control for the construction of the wellhead treatment facilities at the Texas Street Well Field. This amendment authorizes acceptance of a grant of $1,976,900.00 and the execution of the time extension agreement with the State for funding of the construction of the wellhead treatment facilities at the Texas Street Well Field.

Redlands Boulevard Median

On August 22, 1991, the Traffic Commission voted to recommend to the City Council that a left-turn pocket be installed in the existing median on Redlands Boulevard between New Jersey and Nevada Streets. It was the consensus of the Commission that denial would be inappropriate with the recently approved median openings slated on Redlands Boulevard easterly of California Street. Staff recommends that the City Council deny construction of the left-turn pocket and median opening. Traffic studies indicate that future traffic volumes will push Redlands Boulevard to either a Level E or F rating which denotes unstable traffic flow. The intent of the East Valley Corridor Specific Plan is to construct medians on Redlands Boulevard for the purpose of limiting turning movements, thereby improving the level of service. A petition was reviewed from 24 tenants of Nevada Street properties in favor of a "left-turn-only pocket" as proposed by the Nevada Street Properties for Redlands Boulevard in front of 1915 West Redlands Boulevard. Councilmember Beswick moved to deny the construction of a left-turn pocket and median opening on Redlands Boulevard between New Jersey and Nevada Streets. Motion seconded by Councilmember Larson and carried unanimously.

Airport Grant

On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously accepted the Federal Aviation Administration Airport Improvement Grant offer in the amount of $500,000.00 for development of the Redlands Municipal Airport.

Airport Master Plan

On motion of Councilmember Larson, seconded b Councilmember Milson, Council unanimously awarded a contract for the update of the Redlands Municipal Airport Master Plan to Coffman Associates Inc. of Phoenix, Arizona, in the amount of $44,000.00.

There being no further business, the meeting adjourned at 8:09 P.M. to an adjourned regular meeting to be held on Thursday, September 19, 1991, at 7:30 A.M. at Griswold's Restaurant, Ford Street and Interstate 10.