MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on July 21, 1992, at 3:00 P.M.

PRESENT
Charles G. DeMirjyn
Swen Larson, Councilmember
William E. Cunningham, Councilmember
Dee Ann Milson, Councilmember
Jim Foster, Councilmember

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

ABSENT None

The meeting opened with an invocation by Mayor Pro Tem Larson followed by the pledge of allegiance.

Minutes of the adjourned regular meetings of July 7 and July 14, 1992, were approved as submitted. Councilmember Cunningham moved to amend the minutes of the regular meeting of July 7, 1992, to reflect his reason for voting against Concept Plan No. 2, Minor Subdivision No. 218, Chapman Investment Company: "…with Councilmember Cunningham voting NO as he felt conditions did not meet General Plan Committee and consultant's recommendations." Motion seconded by Councilmember Milson and the minutes were unanimously approved as amended.

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

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - July 14, 1992 - On motion of Councilmember Larson, seconded by Councilmember Milson, the report of the last Planning Commission meeting was unanimously acknowledged as received.

Parcel Map 11391 - Roger J. Schneider - The request from Roger J. Schneider regarding a proposed subdivision located off Sunset Drive and located in the area recently annexed into the City, known as Annexation No. 72, was continued to this meeting. Community Development Director Shaw reported the County approved a tentative parcel map to subdivide the property into three parcels. The map was never finalized prior to annexation into the City. The City decided it would not honor tentative maps of the County and require reprocessing of maps per City requirements. City Attorney McHugh informed the Council the Subdivision Map Act requires application of the law at the time of the annexation. Mr. Schneider expressed his frustration as he felt final approval had been granted prior to the effective date of the annexation even though the map was not signed nor recorded. It was noted Mr. Schneider could apply for a variance to Measure N and proceed with this application to the City. No action was taken by the City Council at this meeting.

COMMUNICATIONS

Appointment - Recreation Advisory Commission - Mayor DeMirjyn appointed Tess Hahn to fill the term on the Recreation Advisory Commission which expired on June 30, 1992; this appointment was unanimously approved by the City Council on motion of Councilmember Foster, seconded by Councilmember Larson.

Portable Stage - Councilmember Larson moved to add the following item to the agenda which arose subsequent to the agenda being posted: "Discussion and possible action - Request to use portable stage." This motion carried with Councilmember DeMirjyn voting NO. Councilmember Larson explained a summer carnival has been scheduled to be held in Ontario on Saturday, July 25, 1992, as a benefit to raise funds for a burn victim. The event is hosted by the Ontario Fire Department, Life Flight Air Rescue Helicopters, and the Ontario Police Department. Sponsors of the event have requested the City's permission to use the portable stage and waiver of the rental fee. Councilmember Larson moved to authorize the use of the portable stage. Motion seconded by Councilmember Foster and failed with Councilmember DeMirjyn, Cunningham, and Milson voting NO as they felt the stage should remain within the city limits.

Study Session - Councilmembers concurred to hold a General Plan study session on Tuesday, July 28, 1992, at 6:00 P.M. in the City Hall Civic Auditorium.

Council recessed at 3:39 P.M. to a Redevelopment Agency meeting and reconvened at 3:40 P.M. to a closed session for the purpose of discussing property acquisitions 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 7:00 P.M.

PRESENTATION

Mayor DeMirjyn and Fire Chief Mel Enslow presented a certificate of commendation to Carol Keys in recognition of her life-saving efforts on July 6, 1992, when a neighbor's child accidentally ignited his clothing.

UNFINISHED BUSINESS

Ordinance No. 2190 - R-A-A and R-A-A Districts - Ordinance No. 2190, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting Zoning Ordinance Text Amendment No. 222 establishing two new zoning districts: R-A-A (Residential Estate - Animals) and R-A-A (Rural Residential - Animals) Districts, was given its second reading of the title by City Clerk Poyzer, and on motion of

Councilmember Milson, seconded by Councilmember Cunningham, further reading of the ordinance text was unanimously waived. Ordinance No. 2190 was adopted on motion of Councilmember Milson, seconded by Councilmember Cunningham, by the following vote:

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

PUBLIC HEARINGS

Ordinance No. 2191 - Zone Change No. 344 - Public hearing was continued to this time and place to consider Ordinance No. 2191, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting an additional land use zoning plan as part of the Official Land Use Zoning Map and effecting Zone Change No. 345 for an area generally located between the I-10 Freeway and High View Drive, east of Alta Vista Drive. This proposed zone change contains approximately 125 acres, is highly urbanized and is comprised of a number of smaller and narrower parcels. Community Development Director Shaw reported the proposed zoning is R-A-A (Residential Estate - Animal, 20,000 square feet) District and C-4 (Highway Commercial) District. The R-A-A zoning was proposed as this area is void of any sewer system and information received from the California Regional Water Quality Control Board indicated lots with a minimum of 20,000 square feet would be allowed. Regarding the proposed C-4 zoning, this is recommended for three parcels: one on Alta Vista and two on 17th Street which are adjacent to the commercial entities on Outer Highway 10. Since these were existing businesses, the proposed C-4 zoning recognizes the current situation and is compatible with the commercial zoning in Yucaipa.

At the study session on July 14, 1992, the Planning Commission reviewed maps showing properties in the area and location of those who signed petitions in support/opposition of R-A-A zoning (see Zone Change No. 344 and maps showing the boundary of Hilltop Estates) and considered testimony from six property owners in support of A-1 or R-R-A zoning and two property owners in support of R-A-A zoning. The Planning Commission found the maps and public input inclusive and made “no recommendation” on this zone change.

Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments concerning this change of zone. Barney Gentry asked for an in-depth study on the long-term effects. On behalf of the Khoury family, Richard Siegmund urged Council to allow the smaller parcels. Charles Bosley urged approval of the half-acre lots. Sharon Fletcher and Jeanne Walker indicated their support for Mr. Gentry’s position. There being no further comments, the public hearing was declared closed. Council discussed the non-conforming lots aspect of this zone change. Councilmember Cunningham moved to approve the Negative Declaration for Zone Change No. 345 and directed staff to file and post a “Notice of Determination” in accordance with the City’s guidelines noting it has been determined this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code.

Motion seconded by Councilmember Milson and carried unanimously. Ordinance No. 2192 was read by title only by City Clerk Poyzer, and on motion of Councilmember Cunningham seconded Councilmember Milson, further reading of the ordinance text was unanimously waived. Councilmember Cunningham moved to introduce Ordinance No. 2192 establishing the R-R-A (Rural Residential - animals, one-acre lots) and C-4 (Highway Commercial) Districts and lay over under the rules with second reading scheduled for August 4, 1992. Motion seconded by Councilmember Milson and carried with Councilmember Foster voting NO.

Ordinance No. 2201 - Eating Establishments - Public hearing was advertised for this time and place to consider Ordinance No. 2201, an ordinance of the City of Redlands amending Chapter 18.68 of the Redlands Municipal Code by adopting Zoning Ordinance Text Amendment No. 224 relating to eating establishments in the Medical Facility District. Community Development Director Shaw reported the applicant, The Morey Mansion, wants to establish a restaurant in conjunction with the operation of the bed and breakfast inn and Ordinance No. 2201 will permit a restaurant use in the Medical Facility District. 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. 2201 was read by title only by City Clerk Poyzer, and on motion of Councilmember Larson, seconded by Councilmember Foster, further reading of the ordinance text was unanimously waived. Ordinance No. 2201 was introduced and laid over under the rules with second reading scheduled for August 4, 1992, on motion of Councilmember Larson, seconded by Councilmember Foster, with Councilmember Cunningham voting NO.

Ordinance No. 2202 - Bed and Breakfast Inns - Public hearing was advertised for this time and place to consider Ordinance No. 2202, an ordinance of the City of Redlands amending Chapter 18 of the Redlands Municipal Code by adopting Zoning Ordinance Text Amendment No. 225 relating to meals served to guests of a bed and breakfast inn. Community Development Director Shaw reported the applicant, The Morey Mansion, wants to establish a restaurant in conjunction with the operation of the bed and breakfaast inn. Ordinance No. 2202 will permit a restaurant in a bed and breakfast inn. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments. In response to Jon Harrison’s concern about adaptive resuses in residential uses, staff assured him a noticed public hearing would be held when an application is received for a conditional use permit. There being no further comments, the public hearing was declared closed. Ordinance No. 2202 was read by title only by City Clerk Poyzer, and on motion of Councilmember Larson, seconded by Councilmember Foster, further reading of the ordinance text was unanimously waived. Ordinance No. 2202 was introduced and laid over under the rules with second reading scheduled for August 4, 1992, on motion of Councilmember Larson, seconded by Councilmember Foster, with Councilmember Cunningham voting NO.

Appeal - Motel 6 Sign - Public hearing was advertised for this time and place to hear an appeal to the Planning Commission’s denial of a request for a variance from Section 15.36.450.C.2 of the Redlands Municipal Code in order to allow a 180 square foot, freeway-oriented main identification sign rather than the 120 square foot sign allowed by Code for property located at 1160 Arizona Street. Community Development Director Shaw reported this variance request was the result of a flag test conducted on the subject site on March 7, 1992. This test, which staff participated in, determined that in order for this motel to receive adequate visibility, its existing freeway-oriented sign would have to be raised twice its current height of 40 feet. This height (80 feet) which is supported by staff, would mitigate the visual obstruction created by the newly constructed freeway interchange to the immediate east of this motel. However, in the process of conducting any changes to this existing freeway-oriented sign, the applicant had to first receive Planning Commission approval. Also, in the process, the exiting sign(s) have to be brought into compliance with the current Sign Code. In this case, the applicant's freeway-oriented sign would have to be reduced in area from 180 square feet to 120 square feet. On June 9, 1992, the Planning Commission unanimously denied Motel 6's request for Variance No. 506 as they could not make the findings necessary for granting a variance under the Redlands Municipal Code. Mayor DeMirjyn declared the meeting open as a public hearing. On behalf of the applicant, Motel 6, Attorney Amy Greyson urged Council to approve this request as they felt they were being denied the right to have on-site advertising. The applicant, Tab Sims, also urged approval as he felt customers could not see their sign. There being no further comments, the public hearing was declared closed. Councilmember Larson moved to deny the appeal and Variance No. 506 as this request did not meet Finding No. 2 of Section 18.196.030.B as this sign is not similar to or in the same category as the two existing signs in the immediate vicinity which currently exceed Code requirements; one sign identifies a regional shopping center and the second sign is non-confoming with the current Sign Code and identifies a non-freeway-oriented business; this finding is made after consideration of the staff report, findings and determination of the Planning Commission, public input and other information and discussion presented at the public hearing. Motion seconded by Councilmember Milson and carried unanimously.

NEW BUSINESS

Resolution No. 4894 - Loan Agreement and Additional Appropriation - San Bernardino Regional Airport Authority - Mayor Pro Tem Larson explained that Section 11 of the Joint Exercise of Powers Agreement Creating an Agency to be known as the San Bernardino Regional Airport Authority requires the City of Redlands to provide funds by loans or other means to the Authority for the purpose of paying the necessary annual budgeted expenditures of the Authority. Following brief discussion, Councilmember Foster moved to approve Resolution No. 4894, a resolution of the City Council of the City of Redlands approving a certain loan agreement by and between the San Bernardino Regional Airport Authority and the City of Redlands, and authorized an additional appropriation of $7,500.00 for that purpose. Motion seconded by Councilmember Larson and carried with Councilmember Cunningham voting NO.

Ordinance No. 2200 - Animals at Parades and Public Assemblies - Following a brief explanation from Town Center Manager Marjie Pettus, Ordinance No. 2200, an ordinance of the City of Redlands amending the Redlands Municipal Code pertaining to animals at parades and public assemblies, was read by title only by City Clerk Poyzer, and on motion of Councilmember Cunningham, seconded by Councilmember Milson, further reading of the ordinance text was unanimously waived. Ordinance No. 2200 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for August 4, 1992, on motion of Councilmember Larson, seconded by Councilmember Milson.

The following items were acted upon during the afternoon session:

Monthly Contract Monitoring Reports - The monthly contract monitoring reports updated through July 14, 1992, for projects currently being administered by the Public Works Department were presented for Councilmembers' information.

Resolution No. 4884 - Traffic Regulations - Councilmember Foster moved to continue Resolution No. 4884, a resolution of the City Council of the City of Redlands establishing no-parking zones on Nevada Street and California Street and a one-hour parking zone between the driveways fronting 900 Nevada Street, to August 4, 1992. Motion seconded by Councilmember Larson and carried unanimously.

Subordination Agreement - 1800 Smiley Ridge Drive - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved a subordination agreement for property located at 1800 Smiley Ridge Drive as requested by Rajiv Dhabuwala.

Road Easement - Following discussion, on motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously approved the request from SMART SMR of California to share the City of Redlands' exclusive road easement to the Crafton Hills College upper reservoir site in order to access their proposed microwave communication facility.

Resolution No. 4890 - Weed Abatement Charges - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved Resolution No. 4890, a resolution of the City Council of the City of Redlands providing for the assessment of costs resulting from the abatement of weeds which constitute a fire hazard.

Resolution No. 4892 - Measure "O" Tax Rate - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved Resolution No. 4892, a resolution of the City Council levying a property tax rate for the fiscal year 1992-1993 to fund the Measure "O" General Obligation Bond.

Resolution No. 4893 - Sewer Bond Debt Service - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved Resolution No. 4893, a resolution of the City Council levying a property tax rate for the fistcal year 1992-93.

Outside Water Connection - Craig and Sylvia Banta - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved a water service connection to 30878 Panorama Drive subject to the applicant's compliance with the following requirements:

"Fees shall be those established by the City and in effect on the date the permit or other conditional approval noted below is issued. The fees estimated herein are advisory only, as follows:

General:

1. Comply with Resolution Nos. 4683 and 4724 of the City of Redlands at the time of approval or issuance of permits, as applicable.
2. Comply with Title 13 and other section of the Redlands Municipal Code in effect at the time of approval or issuance of permits as applicable.

Water Service:

1. Pay the Water Source Acquisition Charge of $720 per unit as a condition of water meter installation.
2. Pay the Water Capital Improvement Charge of $3,600 per unit as a condition of water meter installation.
3. Install fire hydrants as required by the County Fire Marshall.
4. Execute an agreement between the City of Redlands and Craig and Sylvia Banta relieving the City of liability due to substandard water pressure and imposing certain requirements for service as a condition of installation of a water meter.

Sewer Section:

No requirements."

Resolution No. 4895 - Federal Assistance for Earthquake - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved Resolution No. 4895, a resolution authorizing designation of the applicant's agent for the purpose of obtaining federal financial assistance for the recent earthquake.

Agreement - Town Center and B.I.D. - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved the contract agreement between the City of Redlands, the Town Center Division of the Redevelopment Agency and the Business Improvement District for marketing and management sevices.

There being no further business, the meeting adjourned at 8:50 P.M. to an adjourned regular meeting to be held on Tuesday, July 28, 1992, at 9:00 A.M. in the City Hall Plaza, 2 East Citrus Avenue, Suite 15C, Redlands, California.