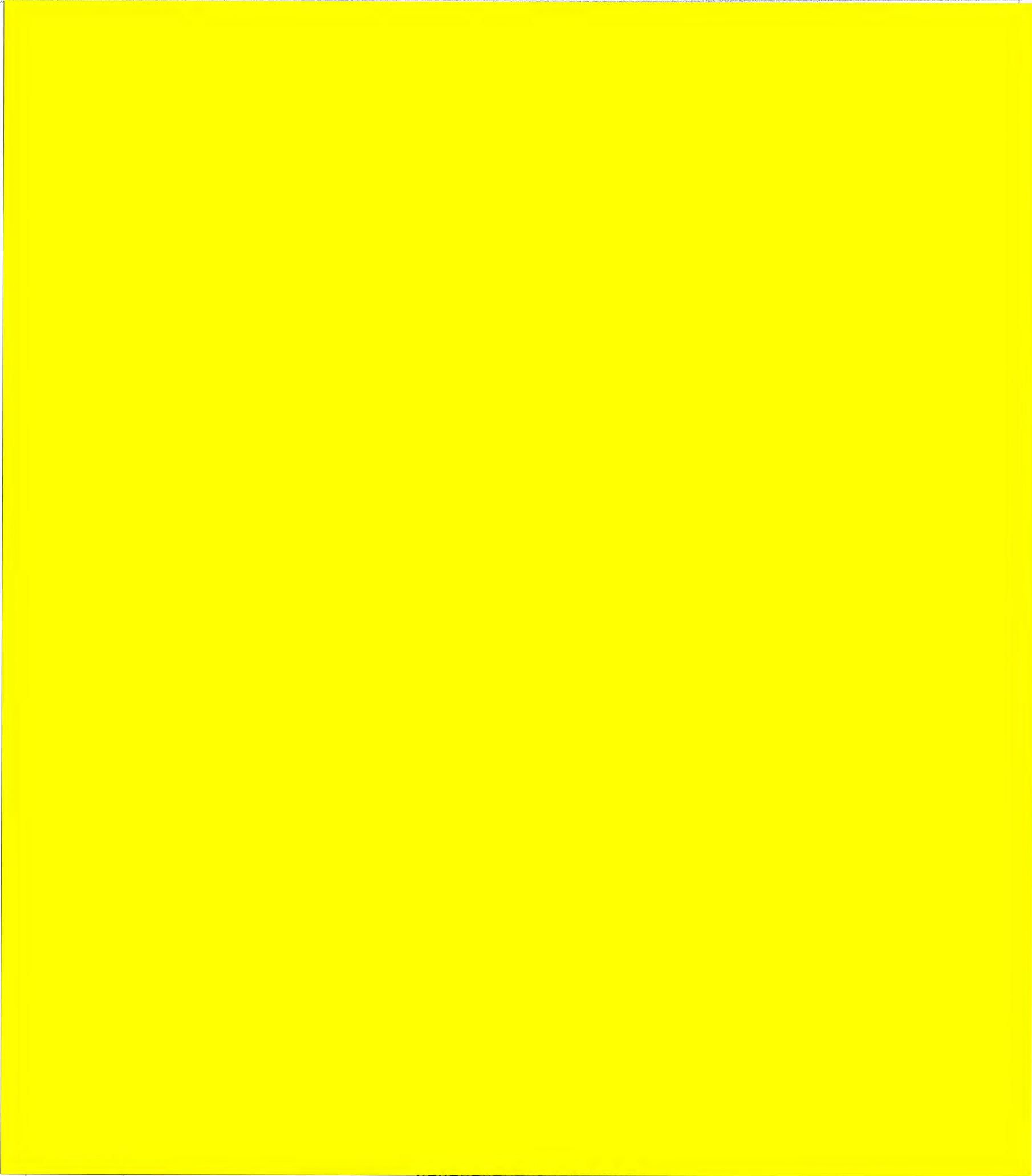




MINUTES

of a special meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on December 31, 1979, at 11:30 A.M.

PRESENT

- Oddie J. Martinez, Jr., Mayor
- Chresten M. Knudsen, Vice Mayor
- Charles G. DeMirjyn, Councilmember
- Warren R. Elliott, Councilmember
- Barbara Cram Riordan, Councilmember

- Chris C. Christiansen, City Manager
- Edward F. Taylor, City Attorney
- Peggy A. Moseley, City Clerk
- Ted Randolph, Redlands Daily Facts
- Mary Curtis, The Sun

MINUTES	(Continued)
ABSENT	None The meeting was opened with the pledge of allegiance. This special meeting was convened for consideration of the following matters: 1. Executive Session: Litigation involving Proposition "R" and Ordinance No. 1680. 2. Consideration of school impaction and classroom overcrowding, conditions and question of concurrence with findings and notifications of Redlands Unified School District. 3. Determinations as to 1979 Building Permit Allocations under Proposition "R" and Ordinance No. 1680. 4. Adoption of Resolution No. 3638 calling and giving notice of the General Municipal Election to be held April 8, 1980, for the election of certain officers of the City and submission of a question relating to the Office of Treasurer of the City of Redlands. Mayor Martinez called the meeting to order at 11:30 A.M. and Council immediately adjourned to an executive session to receive a report from City Attorney Taylor on pending litigation. At 1:30 P.M., the City Council reconvened. City Attorney Taylor briefly summarized the matters Council had considered during the executive session; the suits against City filed by Falcon West and by Vanguard and the claim filed by Crowell Leventhal in connection with Tracts Nos. 10141 and 10142; the notification given early this year by the Board of Trustees of the Redlands Unified School District that impaction existed in the Redlands' schools; the recommendations from the Planning Commission of the City regarding allocations for the year 1979 under Ordinance No. 1680; and the ramifications of Section 65971 of the Government Code of the State of California relating to the action available to the City Council upon notification by the School Board of Trustees that a condition of impaction exists. City Attorney Taylor strongly recommended that Council make the building permit allocations for 1979 as authorized under Proposition "R" and Ordinance No. 1680. He explained that following notification of overcrowding in one or more attendance areas by the School Board, the City may not grant permits for residences unless the City adopts an ordinance providing fees and/or land for school capital improvement, or that the City determines that overriding factors justify permits. Mr. Taylor also presented a chart of five alternatives available to the Council with the probable effects of each. Councilman Knudsen expressed concern that a moratorium would affect every homebuilder; and that if Council concurs that overcrowding does indeed exist, Council may not issue a building permit unless it has adopted an ordinance. Following a brief resume of the figures discussed in the meeting of October 26, 1979, Councilman Knudsen made the following motion: 1) "That this City Council concurs with the findings of the Trustees of the Redlands Unified School District and that the said findings of the Trustees of the School District are supported by clear and convincing evidence as contained in Resolution No. 57, and that, in accordance with Government Code; Section 65972, no discretionary permits for residential uses, including building permits, shall be granted. 2) "That the Staff and City Attorney are to prepare an ordinance pursuant to Section 65974 of the Government Code for consideration as to adoption by this City Council of a fee for funds to alleviate the impaction,

MINUTES (Continued)

Building
Permit
Allocations

recognizing that such ordinance shall be subject to approval by the voters and that this ordinance shall be presented as soon as possible and go into effect as soon as possible. Further, we should make every effort to place this ordinance on the ballot as soon as possible; and that we would collect the funds from this day forward and hold them in escrow until the approval by the voters and should the voters not approve, the fees would be returned to the developers; in the event the voters do approve the fee, the fee shall be presented to the School District.

3) "That this City Council hereby approves the 450 Building Permit Allocations for the year 1979 as contained in the schedule dated September 7, 1979, entitled 'Building Permit Allocation Agenda' modified as follows:

RDA #28 - Falcon West, Inc. & Yucaipa Investment, Inc.	13 units
RDA #14 - A. C. Nejedly & Jay Andrews	50 units
RDA #24 - Paul Hairgrove	27 units
RDA # 1 - Crowell Industries and Emerick and Company	50 units
RDA #23 - Mybridge Associates and Parkwest Development	48 units
RDA #33 - New West Land Company	50 units
RDA #22 - Henry Van Mouwerik	6 units
RDA #25 - Redlands Tennorange	38 units
RDA # 3 - Jerry and Cornnelia Lanting	15 units
RDA #18 - M. L. Investments	50 units
RDA #21 - Vanguard National Builders	38 units
RDA #26 - Kingsway Construction	39 units
RDA #15 - Lando Development Compnay	26 units"

Mr. Knudsen further explained that the two alternatives are clearly eliminated from this allocation.

Councilman DeMirjyn seconded the motion.

In the discussion, Councilman Riordan stated that she is still holding to the opinion that "clear and convincing evidence of impaction do exist as regards Franklin and Lugonia Schools and Cram School with the building there, and I do not concur with the evidence as presented by the Trustees in the Redlands Senior High School or in other schools mentioned in Resolution No. 57."

Councilman DeMirjyn stated that he agreed with Mrs. Riordan as to the Senior High School.

The motion was approved by the following vote:
AYES: Councilmembers Knudsen, DeMirjyn, Elliott
NOES: Councilman Riordan - as relates to other than Franklin and Lugonia Schools
ABSTAIN: Mayor Martinez
ABSENT: None

Mr. Robert Wagner asked if it was the intent of the motion that these fees are to clear the impaction, that is for capital improvement.

Messers Taylor and Christiansen explained that land or fees or both shall be used for providing interim facilities and is covered by State Law.

Mr. Wagner: "Not opposed to fees if used for capital improvements."

Mr. Norman Langley: "Are these funds to be used within the City boundaries - since boundaries differ?"

Councilman Knudsen: "Should prefer within City."

Attorney Taylor: "There are few guidelines in the Government Code; even though the High School District is considerably larger, we must seek a definition by School Trustees that these funds should be used within the City."

MINUTES (Continued)

Mr. Jim Coffin: "I would like to compliment the Council in their action today in following through with their obligation to make the BPA for 1979. I am concerned about the amount of the fees that will be imposed -- that it will be fair and equitable. I think you should decide now how much the fee will be."

Councilman Riordan: "Figures have been given. You know what original figure was proposed."

On motion of Councilman Knudsen, seconded by Councilman Riordan, Resolution No. 3638, a resolution of the City Council of the City of Redlands, California, calling and giving notice of the holding of a General Municipal Election to be held in said City on Tuesday, April 8, 1980, for the election of certain officers of said City as required by the provisions of the laws of the State of California relating to General Law Cities and for the submission to the qualified electors of said City of a question relating to the Office of Treasurer of the City of Redlands, California, and amending Resolution No. 3635, was unanimously adopted.

There being no further business, Council adjourned, on motion. at 2:00 P.M.

Next regular meeting, January 2, 1980.

Resolution
No. 3638

Calling
1980
Election
With
Measure

ATTEST

Peggy A. Moseley
City Clerk

David A. Martinez Jr.
Mayor of the City of Redlands

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