

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on September 5, 2006, at 3:00 P.M.

PRESENT

Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Gilberto Gil, Councilmember
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember

ABSENT

None

STAFF

John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Don Gee, Redevelopment Agency Director; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Marjie Pettus, Administrative Services Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

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

CONSENT CALENDAR

Minutes - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the minutes of the regular meetings of August 1, 2006, and August 15, 2006, were approved as submitted.

Bills and Salaries - On motion of Councilmember Gil, seconded by Councilmember Gallagher, payment of salaries and bills was acknowledged.

Planning Commission Actions - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the report of the Planning Commission meeting held on August 8, 2006, was acknowledged as received.

Notice of Environmental Actions - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the report on pending environmental actions received from surrounding jurisdictions was acknowledged as received.

Ordinance No. 2647 - Zone Change No. 417 - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously adopted Ordinance No. 2647 an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by revising the City's Land Use Zoning Map by approving Zone Change No. 417, a change of zone from A-1 (Agricultural) District to the proposed zoning of R-E (Residential Estate) District and O (Open Land) District for 7.2 acres located on the west side of

Wabash Avenue, south of the I-10 Freeway and north of Sunset Drive in the A-1 (Agricultural) District and to establish zoning of R-E (Residential Estate) District and O (Open Land) District for excess right-of-way and undesignated property located on the west side of Wabash Avenue, south of the I-10 Freeway and north of Sunset Drive (George Saunders, Applicant).

Ordinance No. 2644 - Rescind Zoning Designation - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously adopted Ordinance No. 2644 an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by revising the City's Land Use Zoning Map by rescinding the R-A-A (Residential Estates Animal) District for a 5.69-acre site at the northwest corner of Wabash Avenue and Los Altos Drive (Gardner Construction and Development, Applicant).

Resolutions 6535-6536 - Parking and Business Improvement Area B - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6535, a resolution of the City Council of the City of Redlands giving preliminary approval of the Annual Report for Parking and Business Improvement Area B for fiscal year 2006-2007. On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6536, a resolution of the City Council of the City of Redlands declaring the City Council's intention to levy and collect assessments for improvements and activities occurring within the boundaries of Parking and Business Improvement Area B, and setting October 3, 2006, as the date of the public hearing to consider the assessments.

Jobs/Housing Balance Evaluation - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously directed staff to incorporate an analysis of issues associated with the jobs/housing balance within the General Plan Update program.

Resolution No. 6539 - Mobile Homes Parks' Inspections- On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6539, a resolution of the City Council of the City of Redlands rescinding Resolution No. 2846 relating to the responsibility for inspections of mobile home parks located within the City of Redlands.

Settlement and General Release Agreement - Jennifer Caldwell - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously acknowledged a Settlement and Release Agreement with Jennifer Caldwell. The City Council authorized settlement of this lawsuit/claim in a closed session and this agreement reflects the Council's terms and conditions for settlement.

Proclamation - Dyslexia Awareness Month - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously authorized issuance of a proclamation declaring October 2006 as *Dyslexia Awareness Month* and commending the Inland Empire Branch of the International Dyslexia Association for their service to our community.

Proclamation - Prostate Cancer Awareness Month - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously authorized issuance of a proclamation declaring September 2006 as *Prostate Cancer Awareness Month*.

Proclamation - Save a Life Month - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously authorized issuance of a proclamation declaring September 2006 as *Save a Life Month* and commending the Save a Life Foundation for their commitment to our youth's safety.

Proclamation - National Alcohol and Drug Addiction Recovery Month - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously authorized issuance of a proclamation declaring September 2006 as *National Alcohol and Drug Addiction Recovery Month*.

Proclamation - SBVC Anniversary - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously authorized issuance of a proclamation congratulating San Bernardino Valley College upon the occasion of their 80th anniversary and commending the faculty and staff for their commitment to the education of our community.

Emergency Street Repairs - Ford Street - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously terminated the local emergency caused by the collapse of the storm drain trench on a portion of Ford Street between Redlands Boulevard and Sunset Drive (established with the adoption of Resolution No. 6514 on June 20, 2006) as all required work necessary to abate the local emergency has been completed to the satisfaction of the Public Works Director.

Vietnam Moving Wall - Councilmember Gallagher thanked members of the American Legion Post 106 for arranging for the display of the Vietnam Moving Wall and moved to approve the use of Sylvan Park and the associated fee waivers for the American Legion Post 106 for said display scheduled for May 30 through June 7, 2007. Motion seconded by Councilmember Gil and carried unanimously.

Purchase Agreement - Moursi - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously approved the agreement with Eid Moursi and Iman Moursi regarding the purchase of an

easement on the Colton Avenue right-of-way for the Redlands Boulevard, Alabama Street and Colton Avenue Improvement Project and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Resolution No. 6542 - Measure I Programs - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6542, a resolution of the City Council of the City of Redlands adopting the Four-Year Capital Improvement Program and Twenty-Year Transportation Plan related to Measure I.

Donation - Contract Award - Redlands Bowl Conduit Installation Project - Public Works Director Mutter reported the Redlands Community Music Association has donated \$39,900.00 for the construction and administration of the Redlands Bowl Conduit Installation project. Bids were opened and publicly declared on August 10, 2006, by the City Clerk for this project; a bid opening report is on file in the Office of the City Clerk. Councilmember Gil moved to accept the donation of \$39,900.00 from the Redlands Community Music Association for the construction and administration of the Redlands Bowl Conduit Installation project. Motion seconded by Councilmember Gallagher and carried unanimously. Councilmember Gil moved to appropriate funds in the amount of \$39,900.00 for the construction and administration of the Redlands Bowl Conduit Installation project. Motion seconded by Councilmember Gallagher and carried unanimously. Councilmember Gil moved to award the contract for the construction and administration of the Redlands Bowl Conduit Installation project to Rymax Electric, Inc. Motion seconded by Councilmember Gallagher and carried unanimously.

Agreement - Canyon Water System Conceptual Study Project - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously approved an agreement with Engineering Resources of Southern California, Inc. to furnish design engineering services for the Canyon Water System Supply Conceptual Study Project in the amount of \$25,840.00 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Contract - Civic Center Facilities Improvements Project - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously authorized staff to approve additional work beyond the original contract with Hinkley and Associates, Inc., contingent costs not-to-exceed ten percent (10%) of the total contract amount (\$21,600.00) for the Improvements to Civic Center Facilities Improvement Project, Project No. 1-0665 based on the total bid amount of \$216,000.00.

Non-Potable Water Well Property - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously accepted

the non-potable water well site property and improvements at the northwest corner of California Street and San Bernardino Avenue, Parcel 8 of Parcel Map No. 15565, from Robert Pattillo Properties, Inc. and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Amendment - Jail Services - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously approved an amendment to the agreement with Wackenhut for the provision of jail services and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funds - Telephone Networking - Councilmember Harrison moved to approve an additional appropriation of \$21,600.00 for telephone networking equipment and services to replace the microwave telecommunication system that provides phone communications between the main City Hall phone switch and the City Yard phone switch. Motion seconded by Councilmember Gil and carried with Councilmember Gilbreath voting NO as she felt we should consider these requests for additional appropriations during the mid-year budget review.

Funds - Security Camera Systems - Councilmember Gil, moved to approve an additional appropriation of \$10,824.23 and authorized purchase for two Q-Star FlashCAM-770 Digital Vandalism Deterrent Systems. Motion seconded by Councilmember Gallagher and carried with Councilmember Gilbreath voting NO as she felt we should consider these requests for additional appropriations during the mid-year budget review.

Police Motorcycle Purchase - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously approved award of a bid to Brown Motor Works and authorized the purchase in the amount of \$23,381.75 for one Office of Traffic Safety grant-funded police motorcycle.

EOC Software - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously approved the purchase of Emergency Operation Center software from Global Emergency Resources for an amount not to exceed \$60,950.00.

Resolution No. 6544 - Lease-Purchase Agreement - Paramedic Squad - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6544, a resolution of the City Council of the City of Redlands authorizing the execution and delivery of a lease with option to purchase with Municipal Finance Corporation for the purchase and equipping of one fire paramedic squad for the Redlands Fire Department, authorized the purchase of the paramedic squad from Boise Mobile Equipment and authorized the Mayor to execute, and the City Clerk to attest to, the documents on behalf of the City.

Funds - Redlands Disaster Preparedness Program - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously approved authorization to accept the Fiscal Year 2006 Emergency Management Assistance Program Grant award of \$9,644.00 from the San Bernardino County Office of Emergency Services and authorized the expenditure of that amount for the City of Redlands Disaster Preparedness Program.

Funds - Flood Mitigation Assistance Grant - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously accepted a Department of Homeland Security/Federal Emergency Management Agency Flood Mitigation Assistance Grant and approved an appropriation of \$19,590.00 for administration of the grant.

Grant Funds - Household Hazardous Waste Facility - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously authorized the acceptance of \$10,500.00 in Used Oil Block Grant funds for the replacement of asphalt in the household hazardous waste facility of the City Corporate Yard.

Funds - Neighborhood Initiative Program - Senior Housing Project - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the City Council unanimously accepted the Neighborhood Initiation Program grant of \$1,078,000.00 and approved a request to initiate project/activity and project/activity description for customary and reasonable direct costs associated with the acquisition, design, engineering and construction for a proposed 71-unit affordable senior housing project located on Webster Street and Lemonwood Avenue that will be owned and operated by the Housing Authority for the County of San Bernardino, and approved an appropriation for the same.

Redevelopment Project Area Committee - Following clarification that this subject was appropriate for City Council action, Councilmember Gilbreath moved to approve the Redevelopment Project Area Committee recommendations of July 11, 2006, by extending the term of the Project Area Committee to October 7, 2007. Motion seconded by Councilmember Gallagher and carried unanimously.

BEDAC Actions - On motion of Councilmember Gil, seconded by Councilmember Gallagher, the report of the Business and Economic Development Advisory Commission meeting held on August 2, 2006, was acknowledged as received.

COMMUNICATIONS

Meeting Attendance - No reports forthcoming.

Appointment - DRBA Board - Mayor Harrison moved to appoint Elizabeth (Betsy) Ellsworth to serve on the Downtown Redlands Business Association Advisory Board. Motion seconded by Councilmember Gallagher and carried unanimously.

Re-Appointment - Human Relations Commission - Mayor Harrison moved to reappoint John Walsh to serve another four-year term on the Human Relations Commission. Motion seconded by Councilmember Gallagher and carried unanimously.

General Plan Amendment - Rossmore Enterprises - Community Development Director Shaw reported that on August 1, 2006, the City Council considered a letter from Rossmore Enterprises to initiate discussion pertaining to the land use designation for property located between Texas Street and the 30 Freeway and north of the proposed Redlands Unified School District's new high school site. The letter identified events that have occurred over the past several years including the location of the high school in this area and the lack of interest for uses within a science research park. The applicant suggested that it may be appropriate to amend the Land Use Map from Light Industrial to Very Low Density Residential. Staff has reviewed and provided some additional analysis and consideration to the letter submitted by Rossmore Enterprises. Councilmember Gilbreath moved to receive and file the letter from Rossmore Enterprises. Motion seconded by Councilmember Gallagher and carried unanimously.

Assistant City Manager - Councilmember Gallagher reported since being elected to the City Council, he has been interested in having the City of Redlands explore the possibility of creating the position of an Assistant City Manager. While fully recognizing that adding any position to the budget can be expensive, and sometimes cost prohibitive, he believed that an Assistant City Manager was exactly what our City needed at this time and into the foreseeable future. He felt an Assistant City Manager would provide additional support to critical projects and programs that are currently being developed or those pending before the City Council. This individual could assist the City Manager in directing the operations of the City and could also provide project leadership for major City issues. While the City's financial condition may not be able to support a "dedicated" Assistant City Manager position, City finances may be able to provide the necessary funding that would allow us to increase the responsibilities of a management employee currently working for the City and compensating that individual for their willingness and effort to assume the additional responsibilities associated with this position. Following discussion, Councilmember Gallagher moved to direct the City Manager to explore the available options for creating an Assistant City Manager position for the City of Redlands and to provide a report back to the City Council at its meeting of September 19, 2006. Motion seconded by Councilmember Aguilar and carried unanimously.

Proposition 50 - California River Parkways Program Grant Application - Mayor Harrison reported the Resources Agency of the State of California has issued the call for applications for Proposition 50 California River Parkways Program second round of funding. Speaking in support were Jim Donovan with the National Park Service, and Sherli Leonard from the Redlands Conservancy. Councilmember Harrison moved to direct staff to work with community volunteers to prepare an application for the Proposition 50 California River Parkways Program. Motion seconded by Councilmember Gallagher and carried unanimously.

UNFINISHED BUSINESS

Bid Call - Processing Green Waste - Solid Waste Manager Van Dorst reviewed the request for qualifications and bid proposal and agreement for processing green waste with the application of a one percent (1%) procurement preference in evaluation of the bids in response to City Council direction at the August 1, 2006, meeting. Councilmembers discussed this proposal at length and asked that additional information be provided. Councilmember Gilbreath moved to continue this matter to the September 19, 2006, meeting. Motion seconded by Councilmember Gallagher and carried unanimously.

NEW BUSINESS

Ordinance No. 2648 - Prohibited Peddling in School Zones - Police Chief Bueermann reported a concern exists for the safety and protection of the children of our community due to the increased vehicular traffic and traffic flow congestions caused by peddling within school zones. Hazardous conditions are also created for children attempting to purchase items from these sellers of goods. In order to eliminate these hazardous conditions as well as promote the safety of children, the proposed ordinance would add a section in the Redlands Municipal Code that specifically prohibits peddling within 1,000 feet of the property line of any public or private primary or secondary school during the hours of 8:00 A.M. and 5:00 P.M. on any day when school is in session. Ordinance No. 2648, an ordinance of the City of Redlands adding Section 9.28.020 to the Redlands Municipal Code relating to prohibited peddling within primary and secondary school zones, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gil, seconded by Councilmember Gilbreath, further reading of the ordinance text was unanimously waived, and Ordinance No. 2648 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for September 19, 2006.

Bid Call - Resurfacing Canyon Roads - Public Works Director Mutter reported the City of Redlands controls Live Oak Canyon Road and San Timoteo Canyon Road. Parts of these roadways are shared with the City of Yucaipa, the County

of Riverside, and the County of San Bernardino. Both of these roadway segments are heavily used by commuters and by traffic associated with the County Landfill. These roads have been in a constant state of deterioration for years. Patching is now ineffective as there is no structurally sound surface for patches to adhere to. Drivers often attempt to dodge pot holes, and claims are routinely being submitted for damage to tires and wheels. Complaints are received almost daily from canyon residents and commuters. The complaints are valid with respect to the roadway condition. The only viable solution is a complete grind and resurfacing program for both roadways. Further delays may result in a total structural failure and necessitate a complete reconstruction of certain segments of these roadways. Staff has worked with a local paving contractor to define a reasonable cost for the project and the new estimates today would be about \$1.2-\$1.5 million. The exact cost and appropriation request would be presented in a request to the City Council at the time of contract award. He reviewed possible funding sources including Proposition 42 funds owed by the State, landfill mitigation funds being collected by the City, pro-rated cost sharing with the County of San Bernardino and Measure I funds. Representing The Redlands Association, Bill Cunningham noted a major problem is the 18-wheelers moving sedimentation from San Timoteo Creek and encouraged the City to negotiate an agreement with County Flood Control for sharing maintenance costs. Councilmember Gallagher moved to direct staff to immediately proceed with a bid call for a project to resurface Live Oak Canyon Road and San Timoteo Canyon Road within the Redlands city limits. Motion seconded by Councilmember Aguilar and carried with Councilmember Gilbreath voting NO as she would not support asking for bids until we can pay for the project.

ADA Transition Plan - Public Works Director Mutter presented the Americans with Disabilities Act Transition Plan for the City of Redlands which establishes the methodology by which the City will comply with the Americans with Disabilities Act. By adopting the Plan (as a working document to be updated on a regular basis), the City Council allows staff to move forward with implementing the much needed improvements. Councilmember Gallagher moved to adopt the City of Redlands Americans with Disabilities Act Transition Plan as presented. Motion seconded by Councilmember Aguilar and carried unanimously.

Funds - Resolution No. 6541 - Leases - Redlands Sports Park - Chief of Water Resources Headrick reviewed the application to finalize the lease financing for the Redlands Sports Park Project. Councilmember Gilbreath moved to adopt Resolution No. 6541, a resolution of the City Council of the City of Redlands approving a site lease and facility lease with California Infrastructure and Economic Development Bank in the amount of \$1,985,000.00 for Phase 1b of the Redlands Sports Park Project, and authorized the Mayor to execute, and the City Clerk to attest to, the associated documents on behalf of the City. Motion seconded by Councilmember Gallagher and carried unanimously.

Councilmember Gilbreath moved to approve an additional appropriation in the amount of \$10,500.00 from the Park Development Fees for base rental (interest only) costs during the 2006-2007 fiscal year. Motion seconded by Councilmember Gallagher and carried unanimously.

PUBLIC COMMENTS

Scenic Drive Designation - Mr. Allan M. Wilson asked the City Council for assistance with the Public Works Department's street widening requirement as it relates to his lot on Sunset Drive. Mr. Wilson was referred to the Public Works Director and City Manager.

CLOSED SESSION

The City Council meeting recessed at 4:25 P.M. to closed session to discuss the following:

1. Conference with legal counsel: Anticipated Litigation - Government Code Section 54956.9(b) - One case - Facts and Circumstances: Claim of USAA as subrogee of Howard Butcher

ADJOURNMENT

No report was expected following the closed session. The next regular meeting will be held on September 19, 2006.