

MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, at 3:00 P.M. on July 1, 2003.

PRESENT Karl N. (Kasey) Haws, Mayor
Susan Pepler, Mayor Pro Tem
Pat Gilbreath, Councilmember
Gary George, Councilmember
Jon Harrison, Councilmember

ABSENT None

STAFF John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Cletus Hyman, Deputy Police Chief; Mel Enslow, Fire Chief; 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 Mayor Pro Tem Pepler followed by the pledge of allegiance.

ANNOUNCEMENTS/REPORTS

Councilmembers reported on their activities and attendance at meetings during the past two weeks.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember George, the minutes of the adjourned regular meeting of June 12, 2003, the special meeting of June 12, 2003, and the regular meeting of June 17, 2003, were approved as submitted.

Resolution No. 6170 - General Municipal Election - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously adopted Resolution No. 6170, 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 on Tuesday, November 4, 2003, for the election of municipal officers: two Members of the City Council, one City Treasurer, and one City Clerk.

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

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember George, the report of the Planning Commission meeting held on June 24, 2003, was acknowledged as received.

Resolution No. 6174 - Street Vacation No. 125 - On motion of Councilmember Gilbreath, seconded by Councilmember George, Resolution No. 6174 a resolution of the City Council of the City of Redlands declaring its intention to vacate a portion of New Jersey Street, south of Park Avenue (Pence Construction, Inc., applicant) and setting the public hearing for this street vacation at 7:00 P.M. on August 5, 2003, was unanimously adopted.

Request for Proposals - Environmental Assessment - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously directed staff to prepare a request for proposals to prepare an Environmental Impact Report for the Covington Project (General Plan Amendment No. 93, Agricultural Preserve Removal No. 100, Zone Change No. 390, Conditional Use Permit No. 780, and Tract No. 61361 for property located south of Highview Drive and East of Freya Drive).

Funds - Agreement - Environmental Services - Donut Hole Contract - Community Development Director Shaw reported the City is negotiating a contract with the County of San Bernardino pertaining to sales tax sharing and the provision of City services to the Donut Hole. A subsequent ballot measure to the voters relating to this contract is also part of the project. An environmental assessment of this project needs to be completed over the next ten days so as to be completed for City Council consideration at their meeting of August 5, 2003. Representing The Redlands Association, Bill Cunningham demanded the City Council conform fully with CEQA laws and guidelines and the California Government Code regarding City Council initiatives and did not feel sufficient time was allowed for the public to comment on the proposed contract. City Attorney McHugh stated this action conforms with CEQA, the Government Code, and the Brown Act. Councilmember Harrison moved to approve an agreement with Tom Dodson and Associates for environmental services related to the review, evaluation and preparation of an initial study and recommendation regarding a contract for sales tax sharing and provision of City services between the City of Redlands and the County of San Bernardino and a subsequent ballot measure and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. Motion seconded by Councilmember Peppler and carried unanimously. Councilmember Harrison moved to appropriate \$7,800.00 for professional services. Motion seconded by Councilmember Peppler and carried unanimously.

Contract - Cable Television Consultant Services - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved a contract with Gerald Hanson for cable television consultant services for the period July 1, 2003, through June 30, 2004, noting funds have been included in the Fiscal Year 2003-04 budget for this contract and authorized the Mayor and City Clerk to execute the contract on behalf of the City.

Contract - Redlands Bowl Doors - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved a contract in the amount of \$22,167.00 for removal and replacement of the doors at the Redlands Bowl to Commercial Door Metal Systems, Inc. and authorized the Mayor and City Clerk to execute the contract on behalf of the City.

Use of Sylvan Park - Pagan Pride Day - Councilmember Haws moved to approve the request by the Pagan Inland Empire Fellowship for use of Sylvan Park for the Pagan Pride Day Autumn Harvest Faire to be held on September 27, 2003, including placement of vendor booths for sales in the park. Motion seconded by Councilmember George and carried unanimously.

Agreement - City Corporate Yard - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved an agreement with Stingray Environmental Industries, Inc. to provide services to remove oil, grease, chemical and waste runoff residues in the pavement at the City Corporate Yard and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Funds - Contract - Street Light Replacement - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved an appropriation of \$6,760.00 in additional funds and approved a contract with Rymax Electrical, Inc. in the same amount for the removal and replacement of two damaged street lights (one on Reservoir Road, near Devonshire Drive, and the other on North Orange Street) and authorized the Mayor and City Clerk to execute the contract on behalf of the City.

Mutual Water Company Stock Purchase - Due to a potential conflict of interest, Councilmember Gilbreath retired from the Council Chambers and did not participate in this matter; a Public Disclosure of Potential Conflict of Interest form is on file in the City Clerk's Office. On motion of Councilmember George, seconded by Councilmember Pepler, the City Council approved the purchase of 25 shares of Bear Valley Mutual Water Company stock from Josette Honus for a total price of \$3,125.00 with Councilmember Gilbreath abstaining from the vote.

Agreements - SCE Incentive Funds - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved agreements with Southern California Edison for receipt of incentive funds for the Henry Tate Water Treatment Plant addition and the North Orange Wellfield Project and authorized the Mayor and City Clerk to execute the agreements on behalf of the City.

Contract Award - Water Systems - Bids were opened and publicly declared on June 19, 2003, by the City Clerk for the Zone 1300 and 1520 Non-Potable Water Systems, Project No. 2-0322, a bid opening report is on file in the Office

of the City Clerk. It was the recommendation of the Municipal Utilities Department that the responsible bidder submitting the bid for said project which will result in the lowest cost for the City was Genesis Construction in the amount of \$658,777.00 and it would be in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved this recommendation, authorized staff to approve costs up to ten percent over the total bid amount, and authorized the Mayor and City Clerk to execute the contract on behalf of the City.

Contract - School Resource Training - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved a contract with Corbin & Associates to provide school resource training classes in partnership with the Redlands Police Department and authorized the Mayor and City Clerk to execute the contract on behalf of the City.

Agreements - Building A Generation - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved independent contractor agreements with Rosa T. Lopez, Cherie Burris, Dustin Clelan, Valarie Peterson, Jennifer Camp, Maureen O'Keefe Hodge, Jesse Gonzalez, Morton Anthony C. Frankson, Gabriela Alonso, and Sherry Edwards for the purpose of conducting case management services, social work coordination, evaluation and administration of the Children and Families Commission Grant for Building a Generation and authorized the Mayor and City Clerk to execute the agreements on behalf of the City.

Lease Agreement - East Police Substation - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved a lease agreement with 7-Eleven, Inc. for the east police substation located at 1281 East Citrus Avenue and authorized the Mayor and City Clerk to execute the lease agreement on behalf of the City.

Settlement and Release Agreement - Alpha Internet Systems - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved a settlement and release agreement with Alpha Internet Systems who formerly provided website services and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Funds - Redlands Channel 3 Television - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously authorized an additional appropriation of \$25,580.31 received from Adelphia Cablevision in accordance with the cable television franchise agreement for the purchase of cable production equipment for Redlands Channel 3 Television.

Reclassification Policy Amendment - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved

an amendment to the reclassification policy approved by the City Council on May 7, 2003, which established uniform procedures for employees and supervisors for reclassifications; this amendment will allow "temporary reclassifications" due to unusual and/or unforeseen circumstances.

Resolution No. 6176 - Salary - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously adopted Resolution No. 6176, a resolution of the City Council of the City of Redlands establishing a salary schedule and compensation plan for City employees which reflects the salary increases for the Management, Safety Management, Police and Fire employee units of representation which were previously approved by the City Council, an employee reclassification in the City Manager's office and the addition of five grant-funded positions.

Settlement Agreements - Mountain View Apartments - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously acknowledged a settlement agreements with Rex Dieter Kreissig for property located at 1203 Oxford Drive and with Karla Kreissig for properties located at 1141 Oxford Drive and 1123 Oxford Drive, and with Frances Rios for property located at 1202 Post Street and authorized the Mayor and City Clerk to execute the agreements on behalf of the City. The City Council authorized settlement of these matters in closed session and these releases reflects the terms and conditions for said settlements.

Funds - San Timoteo Creek Restoration Project - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved an additional appropriation from the Open Space Fund in the amount of \$20,000.00 to satisfy the City of Redlands' first year minimum cash requirement associated with the Environmental Protection Agency grant for the San Timoteo Creek Restoration Project.

PUBLIC HEARINGS

Resolution No. 6148 - Parking and Business Improvement Area B - Public hearing was advertised for this time and place to consider Resolution No. 6148, a resolution of the City Council of the City of Redlands ordering the continued operation of Parking and Business Improvement Area B and confirming the annual report and assessment for fiscal year 2003-04. Community Development Director Shaw explained the annual report outlines assessments, district boundaries, proposed improvements and activities and budgets. The report has been approved by the Advisory Board of Parking and Business Improvement Area B and filed with the City Clerk in accordance with Section 36533 of the California Streets and Highways Code. A resolution declaring the City Council's intent to levy the assessments and setting a public hearing thereon was approved on June 3, 2003. Mayor Haws declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Pepler moved to adopt Resolution No. 6148. Motion seconded by Councilmember George and carried unanimously.

Resolution No. 6168 - Multifamily Housing Revenue Bonds - Public hearing was advertised for this time and place to consider Resolution No. 6168, a resolution of the City Council of the City of Redlands approving the issuance by the California Statewide Community Development Authority of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$1,700,000 to refinance the acquisition and finance improvements to an 88-unit multifamily rental housing project located at 225 New York Street and generally known as The Colony Apartments. Finance Director Kundig explained the application submitted by the Southern California Housing Development Corporation noting the City has no liability with respect to the issuance of the bonds or the repayment of any debt service relating to such bonds. Mayor Haws declared the meeting open as a public hearing for any questions or comments. Don Field, Orrick, Herrington, & Sutcliffe LLP, further explained that there was no obligation on behalf of the City to pay back these bonds. Ashley Wright, Southern California Housing Development Corporation, was also present to explain the proposed improvements. There being no further comments, the public hearing was declared closed. Councilmember Harrison moved to adopt Resolution No. 6168. Motion seconded by Councilmember Pepler and carried unanimously.

Resolution No. 6171 - Appropriation Limit - Public hearing was advertised for this time and place to consider Resolution No. 6171, a resolution of the City Council of the City of Redlands establishing an appropriations limit of \$63,450,561.00 for fiscal year 2003-04 in accordance with Article XIII B of the State of California Constitution and Section 7900 et seq. of the California Government Code. Finance Director Kundig explained the requirement for the adoption of an appropriations limit, commonly referred to as a "Gann Limit" or "Proposition 4 Limit." Mayor Haws declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Pepler moved to adopt Resolution No. 6171. Motion seconded by Councilmember Harrison and carried unanimously.

NEW BUSINESS

Ordinance No. 2547 - Emergency Organization - Fire Chief Enslow explained the need to meet the requirements of the State of California and establish a City Disaster Council and Citizens Corp Council and to adopt the standardized emergency management system, its framework, and participation in the master mutual aid agreement and the operations area. Ordinance No. 2547, an ordinance of the City of Redlands amending Chapter 2.52 of the Redlands Municipal Code relating to the City's emergency organization, was read by title only by City Clerk Poyzer, and on motion of Councilmember Pepler, seconded by Councilmember Harrison, further reading of the ordinance text was unanimously waived, and Ordinance No. 2547 was introduced with unanimous

Council approval and laid over under the rules with adoption scheduled for July 15, 2003.

PUBLIC COMMENTS

Responding to the receipt of grant deed for the passive park in San Timoteo Canyon, Bill Cunningham asked about the remaining 6.7-acre parcel. Councilmember George responded that parcel will be acquired by the EPA grant.

CLOSED SESSION

The City Council meeting recessed at 3:27 P.M. to the Redevelopment Agency meeting and reconvened at 3:59 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
 - a. The Redlands Association v City of Redlands et al
4th District Court of Appeal - Case No. 33256

The next regular meeting will be held on July 15, 2003.

City Clerk