

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 January 3, 2006, at 3:00 P.M.

PRESENT

Jon Harrison, Mayor  
Pat Gilbreath, Mayor Pro Tem  
Susan Pepler, Councilmember  
Gilberto Gil, Councilmember  
Mick Gallagher, 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; 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 Mayor Harrison followed by the pledge of allegiance.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of December 20, 2005, were approved as submitted.

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

Resolution No. 6462 - Annexation No. 86 Tax Exchange - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6462, a resolution of the City Council of the City of Redlands in connection with the determination of the amount of property tax revenues to be exchanged between and among the County of San Bernardino and the City of Redlands resulting from the jurisdictional change described by LAFCO No. 3028 (Annexation No. 86 - Jacinto).

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

Subdivision Improvement Agreement - Minor Subdivision No. 283 - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City

Council unanimously approved a subdivision improvement agreement for Parcel Map No. 16686 for Minor Subdivision No. 283, Western RealCo, applicant.

Agreement - Employment Relations - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement for special services with Liebert Cassidy Whitmore to provide special employment relations legal services, on an as-needed basis, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funds - Agreement - Alessandro Road Quiet Zone Project - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a consulting services agreement with CBA, Inc. to prepare the Phase II of the City's Alessandro Road Quiet Zone Project, authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City, and accepted and appropriated \$12,815.00, which are private funds donated to the City of Redlands, to cover the cost of this portion of the project.

Funds - Contract Award - Street and Traffic Signal Improvements - On August 3, 2004, the City Council approved a contract with the County of San Bernardino and the City of Loma Linda to jointly participate in the installation of street and traffic signal improvements at Barton Road and San Timoteo Canyon Road. Bids were opened and publicly declared on December 15, 2005, by the City Clerk for the street and traffic signal improvements at Barton Road and San Timoteo Canyon Road; a bid opening report is on file in the Office of the City Clerk. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously determined that this project is considered exempt under Section 15061(b)(3) of the California Environmental Quality Act Guidelines as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously awarded the contract to Hillcrest Contracting for construction of the Street and Traffic Signal Improvements at Barton Road and San Timoteo Canyon Road in the amount of \$370,446.00 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an appropriation of \$430,000.00 from the Local Transportation Fund.

Funds - Agreement - Inspection Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a consultant services agreement with Willdan to provide inspection services for the Redlands Sports Park Project Phase 1, New York Street Improvements, Traffic Signal and street Improvements for Barton Road and San

Timoteo Canyon Road, and Cypress Avenue Reconstruction. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an appropriation of \$27,200.00 from Measure I to the New York Street Improvement Project. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an appropriation of \$15,300.00 from Measure I to the Cypress Avenue Reconstruction Project.

Lease Agreement - Storage Yard - Councilmember Gilbreath moved to approve the Environmental Review Committee's mitigated negative declaration for the lease and use of City property by Atkinson Contractors LP for a storage yard for the I-10 freeway widening project based on the finding that the project will not have a significant effect on the environment, determining 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 and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Gil and carried unanimously. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a lease agreement with Atkinson Contractors LP for property located on the south side of Sylvan Park, west of University Street, identified as APN 170-191-39 for use as a storage yard by Atkinson Contractors LP for the I-10 freeway widening project.

Ordinance No. 2626 - Recycling Requirements - Ordinance No. 2626 an ordinance of the City of Redlands adding Chapter 13.65 to the Redlands Municipal Code relating to recycling requirements for large venues and events, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gil.

Agreement - Mill Creek Reservoir - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement with Black & Veatch Corporation to furnish professional engineering services during construction for the Mill Creek Reservoir Replacement Project for the amount of \$28,800.00 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Truck Purchase - Municipal Utilities Department - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the purchase of one 2006 Chevrolet 2500 service truck for use by the Municipal Utilities Department for water operations in the amount of \$24,488.34 from Rotolo Chevrolet.

Truck Purchases - Municipal Utilities Department - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the purchase of two 2005 Chevrolet 2500 services

trucks for use by the Municipal Utilities Department for water distribution in the amount of \$45,337.00 from Crest Chevrolet.

OSC 05-04 - Marvin Hudson, Applicant - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously determined that Outside City Case 05-04, APN 298-111-08, is consistent with the City of Redlands General Plan and that the public health, safety, and welfare, and the best interests of the citizens of Redlands, are served by the City's continued processing of the application.

Temporary Part-Time Employees - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the use of temporary part-time employees and authorized the Administrative Services Director to incorporate the positions into the City salary resolution. Recent retirements have depleted staffing levels in some City departments and have impacted operations. Temporary part-time job classifications will enable departments to hire retirees to provide training and perform specific duties for a period not to exceed six months. Salaries will be set at the retiree's step for the job classification. These positions will be noted on the salary resolution with an expiration date of June 30, 2006. Currently there are three positions being considered for temporary part-time status: Executive Assistant, Electrician and Junior Engineer.

Pre-Disaster Mitigation Grant Application - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized staff to apply for 2006 Pre-Disaster Mitigation Grant funding to update and enhance the City of Redlands Local Mitigation Plan as proposed by the Administrative Services Department.

## NEW BUSINESS

Appointments Subcommittee - Planning Commission - Mayor Harrison recommended that two members of the City Council be appointed to serve on an Appointments Subcommittee of the City Council to interview applicants to serve on the Planning Commission. A vacancy exists on the Planning Commission due to the resignation of Caroline Laymon. In addition, the terms of Commissioners George Webber, Paul Thompson, Jim Macdonald and Ruth Cook expire on January 6, 2006. Commissioners Webber and Thompson are not eligible for reappointment. Commissioners Macdonald and Cook are eligible for reappointment and both have indicated they would like to serve a second term. Councilmember Harrison moved to approve the formation of an Appointments Subcommittee of the City Council to interview applicants to serve on the Planning Commission. Motion seconded by Councilmember Pepler and carried unanimously. Councilmember Harrison moved to appoint Mayor Harrison and Mayor Pro Tem Gilbreath to serve on the Appointments

Subcommittee. Motion seconded by Councilmember Pepler and carried unanimously.

Ordinance No. 2630 - City Manager Powers - Mayor Harrison reported that most cities in California, including Redlands, are structured under a council-manager form of government. In a council-manager structure, Councilmembers are the leaders and policy makers elected to represent the community and to concentrate on policy issues, land use development, strategic financial planning, budget preparation and adoption, capital improvement projects, and the overall goals of the community. Under the council-manager system, the City Manager is appointed by the Mayor and City Council to carry out policy, direct administrative operations, appoint/remove administrative officers (department heads), advise the City Council on matters of policy, and answer to the City Council for the performance of all administrative departments. Cities operating in a council-manager form of government have municipal code provisions that stipulate specific duties and authorities vested in the City Manager. Mayor Harrison requested the City Council consider amending Section 2.04.200 of the Redlands Municipal Code relating to the powers of the City Manager regarding appointments and removals of subordinate appointive officers and employees (except the City Attorney and elected officials); said action would not need to be ratified by the City Council. Councilmember Pepler thought this was a great idea. Councilmember Gil expressed concerns as he felt this was a drastic change and wanted input from the employee labor units. Councilmember Gallagher felt the responsibility should be given to the City Manager. Councilmember Gilbreath felt the City Council should step back and allow the City Manager to do his job, as the City Council is not a management board. Ordinance No. 2630, an ordinance of the City of Redlands amending Chapter 2.04 of the Redlands Municipal Code relating to the City Manager, was read by title only by City Clerk Poyzer, and on motion of Councilmember Pepler, seconded by Councilmember Gallagher, further reading of the ordinance text was waived, and Ordinance No. 2630 was introduced and laid over under the rules with adoption scheduled for January 17, 2006, with Councilmember Gil voting NO. Mayor Harrison directed the City Manager to meet with all of the bargaining units and report back for the second reading of the title of the ordinance and adoption.

Appointments - Student Commissioners - Mayor Harrison moved to appoint Sandra Zhang to serve as the student commissioner on the Human Relations Commission, Ayron Dalzell to serve as the student commissioner on the Parks Commission, Lillian M. Height to serve as the student commissioner on the Recreation Advisory Commission, and Stephanie Martinez to serve as the student commissioner on the Traffic and Parking Commission. Motion seconded Councilmember Gilbreath and carried unanimously. Mayor Harrison introduced the students and thanked them for their willingness to serve. Councilmember Gallagher stated he was very proud of these students.

Funds - Contract Award - Roof Repair and Replacement - Bids were opened and publicly declared on November 17, 2005, by the City Clerk for the Redlands Roof Repair and Replacement Project; a bid opening report is on file in the Office of the City Clerk. Administrative Services Director Pettus reported the project includes the removal of existing roofing materials, the repair of flashings and replacement of roofs on six City facilities: Buildings A, B, E and M at the Corporate Yard, the Community Center and the Wastewater Treatment Plant. The City Council allocated capital funds for the roofing project in the 2005-06 budget in the amount of \$489,587. The lowest responsive/responsible bidder for the project submitted a bid for \$872,000; therefore an additional appropriation in the amount of \$470,000.00 is requested to award the contract in full, plus provide a ten percent contingency. Following brief discussion, Councilmember Gil moved to award the contract and approved an agreement for roof repair and replacement with Letner Roofing, authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City, and approved an additional appropriation of \$470,000.00. Motion seconded by Councilmember Pepler and carried unanimously.

#### JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 6461 - Great Neighborhood Program - Councilmember Gil moved to adopt Resolution No. 6461, a resolution of the City Council of the City of Redlands authorizing the use of low- and moderate-income housing funds outside the Redlands Project Area. Motion seconded by Councilmember Pepler and carried unanimously. (Also see Resolution No. 397 in the Redevelopment Agency minutes for January 3, 2006.)

#### PUBLIC COMMENTS

None forthcoming.

#### CLOSED SESSION

Late Breaking Item - Noting the need to take action was immediate, Councilmember Gil moved to add the following closed session item to the agenda which arose subsequent to the agenda being posted: "Existing litigation pursuant to Government Code Section 54956.9(a): San Bernardino Valley Audubon Society and California Trout, Inc. v. Federal Energy Regulatory Commission." Motion seconded by Councilmember Gilbreath and carried unanimously.

The City Council meeting recessed at 3:31 P.M. to continue the Redevelopment Agency meeting and reconvened at 3:32 P.M. to the closed session. The meeting reconvened at 3:44 P.M. Councilmembers Gil and Gallagher were absent.

Mill Creek Water Rights - City Attorney McHugh reported the City Council in closed session authorized, by a 5-0 vote, staff to file a motion to intervene in the San Bernardino Valley Audubon Society and California Trout, Inc. v. Federal Energy Regulatory Commission lawsuit to protect the City's water rights in Mill Creek.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 3:45 P.M. The next regular meeting will be held on January 17, 2006.

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City Clerk