

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 June 5, 2001.

PRESENT

Pat Gilbreath, Mayor
Gary George, Mayor Pro Tem
John L. Freedman, Councilmember
Susan Pepler, Councilmember
Karl N. "Kasey" Haws, Councilmember

John Davidson, City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Michael Reynolds, City Treasurer
Jim Bueermann, Police Chief
Mel Enslow, Fire Chief
Bonnie Johnson, Finance Director
Ronald C. Mutter, Public Works Director
Gary G. Phelps, Municipal Utilities Director
Jeffrey L. Shaw, Community Development Director

ABSENT

None

The meeting was opened at 3:10 P.M. following a brief break after a budget study session with an invocation by Councilmember Haws followed by the pledge of allegiance.

PRESENTATIONS

Retirement Recognition - Mayor Gilbreath presented a plaque with the City seal to Sergeant Joseph G. Bodnar in recognition of his retirement. Sgt. Bodnar began his career with the Redlands Police Department on June 12, 1972, and will retire on June 16, 2001, after 29 years of distinguished service.

Cable Television Network - Cynthia Pringle, Director of Public Affairs at California State University, San Bernardino, described their exciting project to establish a cable television network for the greater San Bernardino Valley by providing locally produced programs that will be cablecasted on the public, education and/or government (PEG) channels in 13 cities. A memorandum of understanding has been prepared for those municipalities interested in participating in this partnership. By consensus, the memorandum of understanding was referred to staff for review and will be considered by the City Council in the near future.

CONSENT CALENDAR

Minutes - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the minutes of the regular meeting of May 15, 2001, and the adjourned regular meetings of May 22, 2001, and May 29, 2001, were approved as submitted.

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

Ordinance No. 2471 - Community Facilities District No. 2001-1 – Ordinance No. 2471, an ordinance of the City of Redlands levying special taxes within the City of Redlands for community Facilities District No. 2001-1, was unanimously adopted on motion of Councilmember Freedman, seconded by Councilmember Pepler.

Surplus Property - Auction - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously declared certain City vehicles and equipment surplus (as contained in the staff report prepared for this meeting) and authorized the Finance Department to engage Industrial Assets for the disposal of said surplus vehicles and equipment.

Contract - Community Facilities District No. 2001-1 - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously authorized a contract with The Heath Group for appraisal services relating to Community Facilities District No. 2001-1.

Planning Commission Actions - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the report of the Planning Commission meeting held on May 22, 2001, was acknowledged as received.

CUP 647 - Coffee Coffee - Time Extension - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously approved a one year time extension for Conditional Use Permit No. 647 (Revision 1) to allow the addition of approximately 1,024 square feet to an existing coffee drive-through restaurant within the Wal-Mart Shopping Center, generally located on the northwest corner of Redlands Boulevard and California Street (Timothy Miller, applicant).

Minor Subdivision No. 255 - Subdivision Improvement Agreement - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously approved a subdivision improvement agreement for Minor Subdivision No. 255, Parcel Map No. 15617, for property located on the southeast corner of Redlands Boulevard and New Jersey Street in the Commercial Industrial District of the East Valley Corridor Specific Plan (Park/Gibbs Development Company, Inc., applicant). On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously granted final approval for Minor Subdivision No. 255, Parcel Map No. 15657,

deleting the Public Works conditions of approval recommended by staff as they are no longer applicable to the proposed project.

Contract - Mission Zanja Creek - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously approved a contract with the Chambers Group, Inc. for environmental services to prepare a joint California Environmental Quality Act/National Environmental Policy Act document for flood control improvements for a portion of the Mission Zanja Creek in the amount of \$16,941.00 which will be paid from the proceeds of a HUD grant.

Police Substation Lease Agreement - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously approved a two year lease agreement with 7-Eleven, Inc. for the east police substation and authorized the Mayor and City Clerk to sign the agreement on behalf of the City.

CLETS Contract - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously approved renewal of an agreement with the San Bernardino Sheriff's Department for access to the California Law Enforcement Telecommunications Systems (CLETS) and authorized the Mayor and City Clerk to sign the agreement on behalf of the City.

Rental Agreement - Inland Empire Stars Baseball - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously approved a rental agreement with Inland Empire Stars Baseball and authorized the Mayor and City Clerk to sign the agreement on behalf of the City.

Funds - Defibrillator Donation - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously approved an additional appropriation in the amount of \$3,500.00 to purchase a defibrillator for the Police Department. These funds were donated by the Redlands 4th of July Committee, Inc.

Agreement - State Board of Prison Terms - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously approved a facility use agreement with the State Board of Prison Terms for use of the Safety Hall meeting room and authorized the Mayor and City Clerk to sign the agreement on behalf of the City.

Resolution No. 5894 - Recreation Fees and Facility Rentals - Dave Eason presented a suggested revision to the field rental rates section of Resolution No. 5894 differentiating youth and adult non-profit groups. On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City

Council unanimously adopted Resolution No. 5894, a resolution of the City of the City of Redlands establishing new fees for facility rentals and recreation services, program and activities, and rescinding Resolution No. 5345, as presented by staff.

Funds - Fire Department Building Maintenance - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously approved an additional appropriation in the amount of \$18,500.00 for maintenance work at Fire Station No. 2 and Fire Station No. 3.

Resolution No. 5897 - Traffic - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously adopted Resolution No. 5897, a resolution of the City Council of the City of Redlands establishing speed limits on Crestview Road between Ford Street and Buckingham Drive.

Resolution No. 5898 - Traffic - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously adopted Resolution No. 5898, a resolution of the City Council of the City of Redlands establishing speed limits on Sunset Drive from Vinton Way to Panorama Point.

Resolution No. 5899 - Traffic - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously adopted Resolution No. 5899, a resolution of the City Council of the City of Redlands establishing speed limits on Palo Alto Drive between Mirasol Drive and Sunset Drive

Resolution No. 5900 - Traffic - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously adopted Resolution No. 5900, a resolution of the City Council of the City of Redlands establishing speed limits on Reservoir Road between Ford Street and Wabash Avenue.

Resolution No. 5901 - Traffic - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously adopted Resolution No. 5901, a resolution of the City Council of the City of Redlands establishing speed limits on West Lugonia Avenue between Mountain View Avenue and California Street.

Agreement - Church Street Right-of-Way - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously approved an agreement regarding purchase of fee interest with Troy C. Ditt and authorized the Mayor and City Clerk to sign the agreement on behalf of the City. This action is in conjunction with the widening of Church Street from Redlands Boulevard to Colton Avenue.

Change Orders - Great Neighborhood Street Improvement Project - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously approved change orders to the contract for the Great Neighborhoods Street Improvement project in the amount of \$40,131.00 and authorized staff to execute the change orders.

Mutual Water Company Stock Lease - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council approved the lease of 90 shares of Crafton Heights Pipeline Company stock to Bear Valley Mutual Water Company for the 2001-02 water delivery season, with Councilmember Gilbreath abstaining from the vote due to a potential conflict of interest.

Proclamation - Blood Bank - On motion of Councilmember Freedman, seconded by Councilmember Pepler, the City Council unanimously authorized issuance of a proclamation extending congratulations on the 50th anniversary of the Blood Bank of San Bernardino and Riverside Counties.

COMMUNICATIONS

Budget Workshops - City Manager Davidson reported the study sessions for the proposed 2001-02 budget have been proceeding smoothly. Another session will be held on Tuesday, June 12, 2001, at 10:00 A.M. The proposed budget for the Municipal Utilities Department will be presented and the budget could then be adopted. Councilmember Haws asked if adoption of the budget was legally necessary on that date and was advised the budget could be adopted anytime prior to June 30, 2001.

Energy Saving Program - Mayor Pro Tem George stated if everyone in the State reduced their electrical energy usage by ten percent, rolling blackouts would not occur this summer. He urged the City Council to take a lead in this area and reduce the City's electrical usage by ten percent and this increase in energy costs is taking funds away from other things the City could be doing for its residents. He moved to direct the department heads to report back on June 19, 2001, with a plan to reduce our energy costs. Motion seconded by Councilmember Haws and carried unanimously.

Resolution No. 5902 - Electricity Cogeneration Facility - Water Resources Chief Headrick reminded Councilmembers they have taken two previous actions regarding the proposed Electricity Cogeneration Facility to be located at the City's Wastewater Treatment Plant on Nevada Street. On January 16, 2001, the City Council approved a preliminary design agreement to furnish engineering services for the project. Subsequently, on May 15, 2001, the City Council approved a final design and construction management agreement. He then made a PowerPoint presentation reviewing the project and the results so far. Based on the favorable results of the preliminary design and economic analysis, it was proposed that the City Council consider approval of the project by authorizing a reallocation of existing budgeted funds towards the project. Councilmember Freedman moved to adopt Resolution No. 5902, a resolution of the City Council of the City of Redlands authorizing submission of a grant application to the California Energy Commission's Innovative Peak Load Reduction Program for the Electricity Cogeneration Facility. Motion seconded

by Councilmember Haws and carried unanimously. Councilmember Freedman moved to allocate existing budgeted sewer funds toward the construction of the Electricity Cogeneration Facility and authorized purchase of an electricity generator and associated equipment. Motion seconded by Councilmember Haws and carried unanimously.

Tree City USA - Mayor Gilbreath announced the Street Tree Committee re-applied to the National Arbor Day Foundation for the designation as Tree City USA. Redlands satisfied all criteria and on May 10, 2001, we received a letter from the National Arbor Day Foundation congratulating the us as being named as a 2000 Tree City USA. Tree City USA is a recognized standard of an effective community forestry program and the basis of such a program is a commitment of ongoing improvement and renewal. Councilmember Freedman displayed the Tree City USA flag which will be flown on the Civic Center flag pole. Mayor Gilbreath saluted Public Works Director Mutter and his staff and members of the Street Tree Committee for this accomplishment. Councilmember Freedman also thanked the citizens who participated in National Arbor Day by planting trees.

City Motto Recommendation - Cultural Arts Commission - Councilmember Freedman reported the Cultural Arts Commission recommended the following motto be adopted for the City of Redlands: *City of History and Culture*.

City Motto, City Tree, and City Flower - At the April 17, 2001, City Council meeting, Councilmember Haws requested further public comments from various community groups regarding nominations for a City motto, City tree, and City flower. Letters were sent to the Chamber of Commerce, Downtown Redlands Business Association, Historic and Scenic Preservation Commission, Human Relations Commission, Northside Advisory Committee, Northside Impact Committee, Recreation Commission, Parks Commission, and Street Tree Committee. Councilmember Haws reviewed the comments received. As the "Pansy" seemed to be the most popular choice as the flower and the "Washington Navel Orange Tree" as the tree, Councilmember Haws asked that Dr. Larry E. Burgess, Director of the A. K. Smiley Public Library present the history of the Pansy and Washington Navel Orange Tree and their relationship to the City at the June 19, 2001, City Council meeting. Regarding the motto, Councilmember Haws felt there were a number of aspects to consider and wanted to make a final determination on June 19, 2001. Councilmembers expressed their choices. Tony Martinez addressed the City Council urging them to designate the orange blossom as the City flower. Councilmember Freedman moved to continue this discussion to June 19, 2001. Motion seconded by Councilmember Gilbreath and carried unanimously.

Cultural Arts Commission - Programs and Funding - Dr. Stanley Korfmacher, Chairman of the Cultural Arts Commission, updated the City Council on their activities. The purpose of the Cultural Arts Commission is to promote public

interest in the arts; to recommend new arts programs and funding sources for those programs; to assist the City Council by recommendation of policies to encourage, develop and support the arts in Redlands; and to advise the City Council in the administration of the Redlands' Art in Public Places program. Dr. Korfmacher listed their accomplishments, noting they have never had any financial support from the City Council. The Commission has been operating on funds from the Steele Foundation which are no longer available. Dr. Korfmacher reviewed the budgets provided by other cities and urged the City Council to grant them the funds necessary to continue their programs. Speaking in support of the Cultural Arts Commission's program were Walter Collins from the Redlands Symphony Association and Cecile Hering from the Redlands Festival Ballet Company. Commissioner Sherli Leonard also addressed the City Council. Councilmember Freedman moved to refer this request to the City Manager for review and recommendation. Motion seconded by Councilmember George and carried unanimously. Councilmember Pepler commented she needed to see the rationale to grant funds to the Cultural Arts Commission when we are not able to fund public safety items. City Manager Davidson noted the Commission has the ability to do fund raising and apply for grants, and that he would be happy to review their needs without impacting the General Fund.

Appointments - Human Relations Commission - Mayor Gilbreath moved to nominate Leanora Jimenez-Sims for reappointment to a four year term on the Human Relations Commission and Charles J. Hyman, M.D. to a four year term on the Human Relations Commission as recommended by Mayor Pro Tem George. Motion seconded by Councilmember Freedman and carried unanimously.

NEW BUSINESS

Ordinance No. 2472 - Flood Damage Prevention - Community Development Director Shaw reported the City of Redlands, on February 22, 2001, had a five-year Community Assistance Visit from the Department of Water Resources on behalf of the Federal Emergency Management Agency. The purpose of the visit was to review and assist the City in the implementation of the National Flood Insurance Program. During the visit, it was determined that the City should update its floodplain management ordinance. Ordinance No. 2472, as proposed, incorporates the amendments as requested from that review and complies with the State and Federal regulations. Ordinance No. 2472, an ordinance of the City of Redlands amending Chapter 15.32 of the Redlands Municipal Code relating to flood damage prevention, was read by title only by City Clerk Poyzer, and on motion of Councilmember Haws, seconded by Councilmember Freedman, further reading of the ordinance text was unanimously waived, and Ordinance No. 2472 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for June 19, 2001.

PUBLIC HEARING

Resolution No. 5804 - Street Vacation No. 118 - Public hearing was continued to this time and place for the vacation of a portion of Bryn Mawr Avenue in Concept Plan No. 2 of the East Valley Corridor Specific Plan (Spring Pacific Properties, applicant). As the applicant requested a continuance of this public hearing, Councilmember Haws moved to act on this item at this time (rather than the evening session) and continue the public hearing, as requested by the applicant, to June 19, 2001. Motion seconded by Councilmember Freedman and carried unanimously.

PUBLIC COMMENTS

None forthcoming.

CLOSED SESSION

The City Council meeting recessed at 4:36 P.M. to a Redevelopment Agency meeting and reconvened at 4:37 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
 - a. County of San Bernardino v. City of Redlands and Spring Pacific - Superior Court Case No. SCVSS 74079
 - b. Claude Upshaw - Workers' Compensation Appeal Board Process
2. Conference with legal counsel: Anticipated litigation - Government Code Section 54956(b): one case
3. Conference with real property negotiator - Government Code Section 54956.8
 - Property: APNs 169-141-01, 20 and 22
 - Negotiating parties: John Rohan and John Davidson
 - Under negotiation: Terms and price

ADJOURNMENT

There being no further business, the City Council meeting adjourned to an adjourned regular meeting to be held on Tuesday, June 12, 2001, at 10:00 A.M. in the City Council Chambers, 35 Cajon Street, Redlands, California.

City Clerk