

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 August 1, 2000.

PRESENT

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

Larry E. Burgess, Interim 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
Tom Fujiwara, Assistant Public Works Director
Gary G. Phelps, Municipal Utilities Director
Jeffrey L. Shaw, Community Development Director

ABSENT

Susan Pepler, Councilmember

Councilmember Pepler was absent from this meeting as she was in Philadelphia, Pennsylvania, attending the Republican National Convention.

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

CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Haws, the minutes of the regular meeting of July 18, 2000, were approved as submitted.

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

Ordinance No. 2444 - Specific Plan No. 40, Amendment No. 14 - Ordinance No. 2444, an ordinance of the City of Redlands adopting Amendment No. 14 to Specific Plan No. 40, an amendment to the East Valley Corridor Specific Plan to create Section EV3.1413 entitled "Conditionally Permitted Uses," in the Science Research Park District and to add recycling operations for rock, sand, gravel, and waste concrete and asphalt as a conditionally permitted use, was adopted on motion of Councilmember George, seconded by Councilmember Haws, by the following vote:

AYES: Councilmembers George, Freedman, Haws; Mayor Gilbreath
NOES: None

ABSENT: Councilmember Pepler

Resolution No. 5780 - Measure O Tax Rate - On motion of Councilmember George, seconded by Councilmember Haws, the City Council adopted, by AYE votes of all present, Resolution No. 5780, a resolution of the City Council of the City of Redlands levying a tax rate for fiscal year 2000-01 to service the annual principal, interest, and other charges relating to the Measure O 1994 General Obligation Refunding Bonds.

Resolution No. 5787 - Paramedic Tax Rate - On motion of Councilmember George, seconded by Councilmember Haws, the City Council adopted, by AYE votes of all present, Resolution No. 5787, a resolution of the City Council of the City of Redlands setting the special tax for emergency paramedic service for fiscal year 2000-01.

Agreement - Water Stock Purchase - Citing a potential conflict of interest, Mayor Gilbreath left the City Council Chambers, and Mayor Pro Tem George conducted the meeting for this matter. On motion of Councilmember Freedman, seconded by Councilmember Haws, the City Council authorized an agreement dated August 1, 2000, for the sale of water stock and temporary use of water with S-P East Highlands, LLC, for the purchase of 6,579 shares of Bear Valley Mutual Water Company stock for \$953,955.00 by the following vote:

AYES: Councilmembers George, Freedman, and Haws

NOES: None

ABSTAIN: Councilmember Gilbreath

ABSENT: Councilmember Pepler

Agreement - Mill Creek Zanja Expanded Inlet - On motion of Councilmember George, seconded by Councilmember Haws, the City Council approved, by AYE votes of all present, a cooperative agreement with the San Bernardino County Flood Control District for improvements to the Mill Creek Zanja Inlet at Ninth Street and Redlands Boulevard.

Traffic Signals - California Street - On motion of Councilmember George, seconded by Councilmember Haws, the City Council authorized, by AYE votes of all present, staff to submit a ten percent (10%) commitment letter to the State of California, Department of Transportation, for cost sharing of the construction of traffic signals on California Street at the Interstate 10 freeway ramps.

Property Sale - 1329 Barton Road - On motion of Councilmember George, seconded by Councilmember Haws, the City Council authorized, by AYE votes of all present, the execution of a purchase and sale agreement and escrow instructions between the City of Redlands and Bruce L. Taber, DDS, for property located at 1329 Barton Road, Assessor's Parcel No. 172-481-02.

CDBG Amendment - Boys and Girls Club of Redlands - On motion of Councilmember George, seconded by Councilmember Haws, the City Council directed staff, by AYE votes of all present, to request the County Economic Development Department for an amendment to the County Community Development Block Grant Consolidated Plan in the amount of \$12,000.00 for the Redlands Boys and Girls Club.

Rental Agreement - Aging and Adult Services - On motion of Councilmember George, seconded by Councilmember Haws, the City Council approved, by AYE votes of all present, an amended rental agreement with the San Bernardino County Department of Aging and Adult Services and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. This amendment extends the term of the original agreement to June 30, 2001, to house the County's Senior Referral Program at the Community Senior Center and specifies a rental payment of \$200.00 per month.

Rental Agreement - Senior Nutrition Program - On motion of Councilmember George, seconded by Councilmember Haws, the City Council approved, by AYE votes of all present, an amended rental agreement with the San Bernardino County Department of Community Services and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. This amendment extends the term of the original agreement to June 30, 2001, to house the Senior Nutrition Program which includes the *Meals on Wheels* program and specifies a rental payment of \$825.00 per month.

Rental Agreement - Sunkissed Squares - On motion of Councilmember George, seconded by Councilmember Haws, the City Council approved, by AYE votes of all present, a rental agreement with Sunkissed Squares, an adult square dancing club which utilizes the Joslyn Senior center to host dances, and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Lease Purchase Agreement - Police Cars - Councilmember Haws asked if this request for the lease purchase of police cars was one of the "wish list" items presented during budget study session. Finance Director Johnson and Police Chief Bueermann replied that three cars were included in the proposed budget and an additional two cars was on the "wish list" and approved by the City Council. Councilmember Freedman moved to approve a lease purchase agreement with Ford Motor Credit Company for five Ford Crown Victoria black and white police cars. Motion seconded by Councilmember George and carried by the following vote:

AYES: Councilmembers Gilbreath, George, and Freedman
NOES: Councilmember Haws
ABSENT: Councilmember Pepler

Contract - State Mandated Cost Claiming Services - On motion of Councilmember George, seconded by Councilmember Haws, the City Council approved, by AYE votes of all present, a contract with DMG-Maximus to provide comprehensive State mandated cost claiming services to the City for fiscal year 2000-01.

Contract - PERMITS' Plus Software System - On motion of Councilmember George, seconded by Councilmember Haws, the City Council approved, by AYE votes of all present, a contract with Accela.com/Sierra Computer Systems, Inc. for the purchase, development, installation and training of the PERMITS' Plus Software System in an amount not to exceed \$64,894.05 and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. On motion of Councilmember George, seconded by Councilmember Haws, the City Council approved, by AYE votes of all present, installation of Velocity Hall and authorized the Mayor to sign a letter of intent. This system will provide for the tracking and control of processes and permits within the Planning, Code Enforcement, and Building and Safety Divisions.

Funds - Excellence in Government Award - On motion of Councilmember George, seconded by Councilmember Haws, the City Council approved, by AYE votes of all present, an additional appropriation in the amount of \$20,000.00 to the Police Department for public information materials pursuant to the Council for Excellence in Government award. The Redlands Police Department is a semi-finalist in the Innovation in American Government award process sponsored by the Council for Excellence in Government, the Ford Foundation, and Harvard University's Kennedy School of Government. As such, the department is slated to receive \$20,000.00 to be used to publicize its community policing model, *Risk Focused Policing*.

Resolution No. 5789 - Weed Abatement Costs - On motion of Councilmember George, seconded by Councilmember Haws, the City Council adopted, by AYE votes of all present, Resolution No. 5789, a resolution of the City Council of the City of Redlands providing for the assessment of costs resulting from the abatement of weeds which constitute a fire hazard.

Appointment - Human Relations Commission - On motion of Councilmember George, seconded by Councilmember Haws, the City Council reappointed, by AYE votes of all present, Arthur Rand to the Human Relations Commission to a four-year term to July 2, 2004, as recommended by Mayor Gilbreath.

Agreement - City Manager - On motion of Councilmember George, seconded by Councilmember Haws, the City Council approved, by AYE votes of all present, an amendment to the date of employment with Larry E. Burgess for the Interim City Manager position to reflect the commencement date of May 16, 2000, rather than April 24, 2000.

Contract Award - EOC Improvements - Bids were opened and publicly declared on July 20, 2000, in the office of the Public Works Director for the construction of the Emergency Operations Center (EOC) Tenant Improvements Project. This project will construct temporary living quarters within the existing EOC building to house fire personnel from Fire Station No. 1 during renovation work on the existing station. The City sent plans and specifications requesting bids to seven local building contractors; the engineer's estimate was \$10,000.00 and one bid was received as follows:

NBI General Contractors, Redlands \$13,969.00

NBI General Contractors was the only responsive/responsible bidder and staff recommended awarding them the contract in the amount of \$13,969.00. This project is considered a Class 1 Categorical Exemption pursuant to Section 15301(a) of the California Environmental Quality Act Guidelines. This section provides an exemption for interior or exterior alterations involving things such as interior partitions, plumbing, and electrical conveyances. In response to his questions, staff advised Councilmember George that the EOC was handicapped accessible. On motion of Councilmember George, seconded by Councilmember Haws, this recommendation was approved, by AYE votes of all present, and the Mayor and City Clerk were authorized to sign the contract on behalf of the City.

Settlement Agreement - Dale Martin and PERS - A copy of an executed Settlement Agreement and Release with Dale Martin and the Public Employees' Retirement System (PERS) as agreed to by the City Council in a closed session was made public in accordance with the requirements of the Brown Act.

Agreement - University of Redlands - On motion of Councilmember George, seconded by Councilmember Haws, the City Council approved, by AYE votes of all present, a contract with the University of Redlands allowing the Police Department to provide management services as previously approved in concept by the City Council at the July 18, 2000, City Council meeting, and the Mayor and City Clerk were authorized to sign the contract on behalf of the City.

Agreement - Design of Fire Station No. 261 - On motion of Councilmember George, seconded by Councilmember Haws, the City Council approved, by AYE votes of all present, a consulting services agreement with Claremont Environmental Design Group, Inc. for the final design for Fire Station No. 261, and the Mayor and City Clerk were authorized to sign the contract on behalf of the City.

PLANNING AND COMMUNITY DEVELOPMENT

Agreement - Final Approval - Tract No. 16015 - On motion of Councilmember George, seconded by Councilmember Haws, the City Council approved, by AYE votes of all present, a subdivision improvement agreement for Tract No. 16015 located on the north side of Pioneer Avenue, east of Duke Street;

Gardner Construction, applicant. On motion of Councilmember George, seconded by Councilmember Haws, the City Council granted final approval, by AYE votes of all present, to authorize recordation with the County Recorder.

Agreements - Final Approval - Tract No. 16082 - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council approved, by AYE votes of all present, the Public Works Department Subdivision Improvement Agreement for Tract No. 16082 located north of Olive Avenue at the terminus of Ash and Roma Streets; J. F. O'Brien Construction Corporation, applicant. On motion of Councilmember Freedman, seconded by Councilmember George, the City Council approved, by AYE votes of all present, the Community Development Department Subdivision Improvement Agreement for Tract No. 16082. On motion of Councilmember Freedman, seconded by Councilmember George, the City Council accepted Tract No. 16082 and granted final approval, by AYE votes of all present, to authorize recordation with the County Recorder.

LATE BREAKING ITEM

Noting that the need to take action was immediate, Councilmember Gilbreath moved to add the following item to the agenda which arose subsequent to the agenda being posted: "Designation of Voting Delegate - League of California Cities Annual Conference" Motion seconded by Councilmember Haws and carried by AYE votes of all present. Councilmember Gilbreath moved to designate Councilmember Gilbreath to serve as the voting delegate for the League of California Cities' 2000 Annual Conference and Councilmember George to serve as the alternate voting delegate for the League of California Cities' 2000 Annual Conference. Motion seconded by Councilmember Haws and carried by AYE votes of all present.

EMINENT DOMAIN HEARINGS

Resolution No. 5783 - Home Depot Project - Resolution No. 5783, a resolution of the City Council of the City of Redlands declaring that the acquisition of a fee interest in a portion of certain real property by eminent domain is necessary for the widening of Lugonia Avenue in conjunction with the Home Depot Project, was set for a hearing at this time and place. City Attorney McHugh explained that Councilmember George has a potential conflict of interest on this matter and with the absence of Councilmember Pepler the necessary votes are not available at this time. Therefore, he recommended this hearing be continued to September 5, 2000. Councilmember Freedman moved to continue this hearing as recommended. Motion seconded by Councilmember Haws by the following vote:

AYES: Councilmembers Gilbreath, Freedman, and Haws

NOES: None

ABSTAIN: Councilmember George

ABSENT: Councilmember Pepler

Resolution No. 5784 - Colton and Wabash Project - Resolution No. 5784, a resolution of the City Council of the City of Redlands declaring that the acquisition of a fee interest in a portion of certain real property by eminent domain is necessary for the completion of the City's Colton and Wabash Avenues Intersection Project, was set for a hearing at this time and place. City Attorney McHugh explained that Councilmember Gilbreath has a potential conflict of interest on this matter and with the absence of Councilmember Pepler the necessary votes are not available at this time. Therefore, he recommended this hearing be continued to September 5, 2000. On behalf of the property owners, William and LaVesta Locklin, Attorney Wilfrid C. Lemann said this continuance was acceptable. Councilmember Freedman moved to continue this hearing as recommended. Motion seconded by Councilmember Haws by the following vote:

AYES: Councilmembers George, Freedman, and Haws

NOES: None

ABSTAIN: Councilmember Gilbreath

ABSENT: Councilmember Pepler

COMMUNICATIONS

City Council Appeals - At the request of Councilmember Freedman, City Attorney McHugh prepared a memorandum regarding City Council appeals of subordinate commission decisions. A few months ago, the City Council discussed the City's process for appealing decisions made by the Planning Commission and other subordinate bodies of the City. Currently the City Council policy is to allow an appeal by the City Council if a majority of a quorum of the City Council agrees to schedule that appeal. Ordinarily, this means an appeal only occurs with three votes of the City Council. Recently a case was decided by the Second District Court of Appeal which appears to put the questions that arose earlier to rest. City Attorney McHugh explained the Court's decision and noted the City Council may wish to revisit the question of whether it wants one Councilmember to have the ability to appeal a decision of a subordinate body, or whether it wants to retain the present unwritten policy that a majority of the City Council must make that type of decision. As part of the City's Municipal Code update process, the City Attorney will be working with the Community Development Director to ensure that the City's many appeal processes in the Municipal Code conform to the holding and guidelines enunciated recently by the Court of Appeal. Councilmember Freedman moved to include a provision for a single Councilmember to appeal any decision made by a subordinate body; motion seconded by Councilmember George. This motion was modified to include the appeal provision but to decide at the time the legislation is presented the number of Councilmembers needed for an appeal. The modified motion was approved by AYE votes of all present.

Fence Committee Liaison - Mayor Gilbreath moved to designate Councilmember Freedman as the City Council liaison to the Advisory Committee on Fences. Motion seconded by Councilmember George and carried by AYE votes of all present.

CLOSED SESSION

The City Council meeting recessed at 3:15 P.M. to a Redevelopment Agency meeting and reconvened at 3:23 P.M. to a closed session to discuss the following:

1. Conference with labor negotiator - Government Code § 54957.6
 - Agency negotiator: Renée Mayne, Labor Management Success
 - Elected Officials: City Clerk and City Treasurer;
 - Contract employee: City Attorney; and
 - Employee organizations: Redlands Association of Management Employees, Redlands Association of Mid-Management Employees, Redlands Police Officers Association, Redlands Association of Safety Management Employees, Redlands Professional Fire Fighters Association, General Employees Association of Redlands
2. Conference with legal counsel: Existing litigation - Government Code § 54956.9(a)
 - City of Redlands v. County of San Bernardino - Riverside Superior Court Case No. 293198
 - City of Redlands v. Majestic Realty SCV 38504
3. Conference with legal counsel: Anticipated litigation - Government Code § 54956.9(b) - 1 Case
4. Conference with legal counsel: Anticipated litigation - Government Code § 54956.9(c) - 2 Cases

The meeting reconvened at 7:00 P.M.

PRESENTATION

Habitat Conservation Areas - Councilmember George reported the Riverside Land Conservancy (RLC) is working with the San Timoteo Greenway Conservancy on efforts to develop habitat conservation areas. Mr. Pete Dangermond, Executive Director of the Riverside Land Conservancy, reviewed the four components of their work: landowner donations; Santa Ana Watershed Protection Agency proposal to help fund the planning for the restoration of San Timoteo Creek; State Park project for designation as a new State Park and State Wildlife Area; and Environmental Protection Agency plan to optimize the use of funds appropriated for use in stream restoration and acquisition. Also speaking were: Anne Mohnike, San Timoteo Watershed Coalition; Lisa Pierce, San Timoteo Greenway Conservancy; Gary Strickland, San Timoteo Canyon Schoolhouse Committee; Greg Ballmer, Tri-County Conservation League; Pete Kiriakos, San Timoteo Greenway Conservancy; and Jerry Cody, San Timoteo Schoolhouse Committee. On behalf of all involved, Councilmember George expressed delight that funding is becoming available and recognized the efforts of Bill Cunningham who was instrumental in the beginning to protect San Timoteo Canyon. Councilmember George moved that the Redlands City Council endorse the efforts of the Riverside Land Conservancy to create major

park and wildlife areas, and to recognize the Riverside Land Conservancy as the lead agency in the planning of the APA application, and directed our staff to cooperation with Mr. Dangermond and his group in these applications. Motion seconded by Councilmember Freedman and carried by AYE votes of all present. Councilmembers expressed their appreciation to the countless hours of volunteerism of these folks and were happy to see the cooperation between the Counties of San Bernardino and Riverside and the Cities of Loma Linda and Redlands.

PUBLIC HEARING

CR&A No. 713 - Coyote Aviation - Public hearing was advertised for this time and place to consider the Draft Negative Declaration and the Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 713 for the development of a 21,600 square foot structure containing 15 airplane hangars and two offices located at the Redlands Municipal Airport, 1745 Sessums Drive, in the A-D (Airport) District; Coyote Aviation, applicant. City Attorney McHugh informed Councilmembers that the applicant has requested that this application be referred back to the Planning Department. Community Development Director Shaw suggested re-advertising the public hearing at a future date which was agreeable to the applicant. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. No further action was taken at this meeting.

UNFINISHED BUSINESS

Redlands Sports Park - Mayor Pro Tem George reviewed the presentation at the last City Council meeting from organized labor, and moved to accept the generous offer of the International Union of Operating Engineers, Local 12, and the Riverside/San Bernardino Counties Building and Construction Trades Council of the AFL-CIO to assist in the construction of the Redlands Sports Park through their various apprenticeship training programs in coordination with City staff. Motion seconded by Councilmember Haws and carried by AYE votes of all present.

Resolution No. 5788 - Salary - Personnel Manager Olsen reported that at the City Council meeting held on July 5, 2000, Council directed staff to come back with a report on whether or not two classifications within the City were properly classified; she reviewed the staff's review and analysis of the Police Records Clerk and Electrician classifications. Staff is recommending that the salary for Police Records Clerks be tied to the Solid Waste Customer Service Representative which is currently at a level 39 and that the title Police Records Technician I/II be changed to Police Customer Service Representative. Staff is recommending no change to the title of Electrician. Staff reviewed these recommendations with Chris Prato of the San Bernardino Public Employees

Association, and he did not express any concerns with the proposal. Councilmember George moved to adopt Resolution No. 5788, a resolution of the City of Redlands rescinding Resolution No. 5772 and establishing a salary schedule and compensation plan for City employees, which incorporates the recommendations for a title change and salary adjustment, effective August 6, 2000, and directed staff to talk with the Electrician. Motion seconded by Councilmember Freedman and carried by AYE votes of all present.

NEW BUSINESS

Agreement - Victoria School Recreation Program - Police Chief Bueermann explained that it has been a goal of the Recreation Commission to expand after-school recreation programs. There are several children in neighborhoods surrounding Victoria Elementary School who are currently lacking positive after school activities. Administrators at the school and Lois Lauer, the program's sponsor, contacted the Police Department's Recreation Bureau to examine the feasibility of bringing the successful Rec-N-Fx program to Victoria. Although Victoria School is located outside the Redlands' city limits, children attending the school will move on to Redlands' middle and high schools. Providing recreation services to Victoria students will promote regional collaborative efforts and expose children to youth development programs such as the Redlands Youth Coalition. The City will be reimbursed for the total cost of the program, including personnel, materials, equipment and transportation. Lois Lauer, a mentor at Victoria School, explained how the funds were collected: \$10,000.00 from the Redlands Unified School District, \$2,500.00 pledged donations from Lois Lauer's real estate agents, and \$2,500.00 matching funds from Lois Lauer Realty. Annie Upshaw, Victoria School's principal, was also present at this meeting. Councilmember Haws moved to approve an agreement for contractual services with the Redlands Unified School District to provide after-school recreation programs at Victoria Elementary School, and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. Motion seconded by Councilmember Freedman and carried by AYE votes of all present.

Joint Meeting with Redlands School Board - Mayor Gilbreath asked staff to arrange a joint meeting with the Redlands Unified School District administrators and board members as has been held in the past.

Ordinance No. 2450 - Administrative Citation Process - City Attorney McHugh explained the California Government Code authorizes cities to establish a process for issuing administrative citations for code enforcement matters. This is an alternative process which the City's code enforcement team may pursue rather than filing citations with the court and proceeding through the judicial process. The Community Development Department, at the request of our local judges, has started an administrative citation process. Ordinance No. 2450 would ensure that the administrative process complies with State law and

provides appropriate due process to those persons who may be the recipients of citations. Ordinance No. 2450, an ordinance of the City of Redlands adding Chapter 1.22 to the Redlands Municipal Code to establish an administrative citation and remedies process, was read by title only by City Clerk Poyzer, and on motion of Councilmember George, seconded by Councilmember Haws, further reading of the ordinance text was waived, and Ordinance No. 2450 was introduced, by AYE votes of all present, and laid over under the rules with adoption scheduled for September 5, 2000.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:56 P.M. The City Council will not meet on August 15, 2000; the next regular meeting will be held on September 5, 2000.

City Clerk