

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 April 20, 2004.

PRESENT Gilberto Gil, Mayor Pro Tem
Pat Gilbreath, Councilmember
Gary George, Councilmember
Jon Harrison, Councilmember

ABSENT Susan Pepler, Mayor

STAFF John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Jim Bueermann, Police Chief; Mel Enslow, Fire Chief; Tom Steele, Assistant 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 Gil followed by the pledge of allegiance.

PUBLIC COMMENT

City Logo - Mayor Pro Tem Gil allowed Joseph Horace Billingsley I to speak at this time. Mr. Billingsley offered to defend the City against the ACLU's threatened suit if the cross is not removed from the City's logo and he encouraged Councilmembers to stand up against the ACLU noting that staff does not always represent the people. Mayor Pro Tem Gil invited Mr. Billingsley to return on May 4, 2004, when there will be a report regarding this matter presented.

PRESENTATION

Proclamation - National Infant-Toddler Immunization Month - The City Council authorized issuance of a proclamation declaring the week of April 25, 2004, as "Infant Immunization Week" and the Month of May, 2004, as "Toddler Immunization Month" to alert parents of pneumococcal conjugate vaccine and all other vaccine-preventable diseases. Mayor Pro Tem Gil presented the proclamation to Edith Lara-Trad, San Bernardino County Health Educator.

ANNOUNCEMENTS/REPORTS

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

CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Harrison, the minutes of the regular meeting of April 6, 2004, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember George, seconded by Councilmember Harrison, the report of the Planning Commission meeting held on April 13, 2004, was acknowledged as received.

Resolution No. 6272 - Street Banner Criteria - On motion of Councilmember George, seconded by Councilmember Harrison, the City Council, by AYE votes of all present, approved Resolution No. 6272, a resolution of the City Council of the City of Redlands adopting criteria for street banners erected on City property at the City's designated locations on Citrus Avenue, between Fifth and Sixth Streets, and on Cajon Street, near Vine Street.

Settlement Agreement - Aladdin M. Masry - On motion of Councilmember George, seconded by Councilmember Harrison, the City Council, by AYE votes of all present, acknowledged a settlement and release agreement with Aladdin M. Masry and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. The City Council authorized settlement of this matter in closed session and this release reflects the terms and conditions for said settlement.

Proclamation - Maurice Calderon - The City Council, by AYE votes of all present, authorized issuance of a proclamation recognizing and commending Maurice Calderon for his outstanding and dedicated service to the City of Redlands and surrounding communities and upon having been awarded the prestigious Premio Ohtli Award given by the Mexican Ministry of Foreign Affairs on motion of Councilmember Gil, seconded by Councilmember George. Mayor Pro Tem Gil noted it was a great honor for Mr. Calderon for having received this award.

Ordinance No. 2554 - Tress and Tree Protection - Ordinance No. 2554, an ordinance of the City of Redlands amending Chapter 12.52 of the Redlands Municipal Code relating to trees and tree protection along streets and in public places, was adopted, by AYE votes of all present, on motion of Councilmember George, seconded by Councilmember Harrison.

Resolution No. 6250 - Encroachment Permit - SCE - On motion of Councilmember George, seconded by Councilmember Harrison, the City Council, by AYE votes of all present, adopted Resolution No. 6250, a resolution

of the City Council of the City of Redlands establishing a permit procedure and fee schedule for the application and issuance of an encroachment permit for the trimming, removal and planting of trees by the Southern California Edison Company and their assigned contractors.

Agreement - Redlands Sports Park - The consultant services agreement with Michael Brandman Associates to complete the Section 7 consultation process for an amount not to exceed \$26,500.00 was withdrawn from the agenda by staff.

Resolution No. 6269 - Traffic - On motion of Councilmember George, seconded by Councilmember Harrison, the City Council adopted, by AYE votes of all present, Resolution No. 6269, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: create a passenger loading zone on the south side of Colton Avenue, west of Berkeley Drive, adjacent to Franklin Elementary School; create two-hour parking zone with resident parking permit hangers on both sides of Clark Street between Eureka and Fourth Streets; and create parking limits and handicap space in the Civic Center parking lot located at the northeast corner of Cajon and Vine Streets.

Palm Trimming - Terracina Boulevard - On motion of Councilmember George, seconded by Councilmember Harrison, the City Council authorized, by AYE votes of all present, the trimming of the palms by West Coast Arborists along the east side of Terracina Boulevard under the Southern California Edison overhead facilities.

Resolution No. 6275 - Disaster Resistance Week - On motion of Councilmember George, seconded by Councilmember Harrison, the City Council approved Resolution No. 6275 declaring the week of May 2, 2004, as Disaster Resistance Week and calling upon State and Local Governments, Corporations and Members of the public to improve working partnerships in order to find cost-effective solutions to reduce the potential losses from future natural and man-made disasters, and to make every effort possible to implement mitigation measures.

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 Harrison, the City Council approved the purchase of 96 shares of Bear Valley Mutual Water Company stock from Fred Peck for a total price of \$12,000.00 with Councilmember Gilbreath abstaining from the vote and Mayor Pepler being absent.

2004 Utility Advisory Committee - On motion of Councilmember George, seconded by Councilmember Harrison, the City Council authorized, by AYE votes of all present, the formation of the 2004 Utility Advisory Committee as an ad hoc committee to assist the City Council and staff with the water and wastewater utilities rate study.

Firefighter Grant Award Application - No action was taken on the request to authorize the Redlands Fire Department to apply for a 2004 Assistance to Firefighter grant award of \$204,000.00 from the Federal Emergency Management Agency (FEMA) for the purchase of a Type III Fire Apparatus.

Funds - Homeland Security Grant Award - On motion of Councilmember George, seconded by Councilmember Harrison, the City Council authorized acceptance, by AYE votes of all present, of the 2004 Homeland Security Grant award of \$35,874.00 from the State of California Office of Homeland Security for improvement of the City of Redlands Fire Department Emergency Terrorism Planning and Response Program, and authorized the expenditure of that amount for the City of Redlands Terrorism Program.

Agreement - Nick Triolo - On motion of Councilmember George, seconded by Councilmember Harrison, the City Council approved, by AYE votes of all present, an independent contractor agreement between Nick Triolo and the City of Redlands Cultural Arts Commission for the "Cycles of Redlands" Project. This project will commission five regional artists to create art sculptures which will be displayed throughout downtown Redlands during the Olympic Trials in June 2004. At the end of the display, the sculptures will be sold and all money raised from this project will be used for future Cultural Arts Commission projects.

Agreement - Cathy Bruns - On motion of Councilmember George, seconded by Councilmember Harrison, the City Council approved, by AYE votes of all present, an independent contractor agreement with Cathy Bruns to develop and conduct a youth basketball program for the City's Recreation Bureau.

MOU - GEAR - On motion of Councilmember George, seconded by Councilmember Harrison, the City Council approved, by AYE votes of all present, an amendment to the memorandum of understanding with the San Bernardino Public Employees Association representing the General Employees Association of Redlands (GEAR) for the implementation of the Principal Financial dental plan and authorized the Mayor and City Clerk to execute the amendment on behalf of the City.

MOU - RAMME - On motion of Councilmember George, seconded by Councilmember Harrison, the City Council approved, by AYE votes of all present, an amendment to the memorandum of understanding with the Redlands Association of Mid-Management Employees (RAMME) for the implementation

of the Principal Financial dental plan and authorized the Mayor and City Clerk to execute the amendment on behalf of the City.

Agreement - Leibert Cassidy Whitmore - On motion of Councilmember George, seconded by Councilmember Harrison, the City Council approved, by AYE votes of all present, a special services agreement with Leibert Cassidy Whitmore and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. East Inland Empire Employment Relations Consortium provides the City with monthly legal updates, employee training, and telephone consultations on legal issues pertaining to personnel management.

Resolution No. 6273 - Salary - On motion of Councilmember George, seconded by Councilmember Harrison, the City Council adopted, by AYE votes of all present, Resolution No. 6273, a resolution of the City Council of the City of Redlands establishing a salary schedule and compensation plan for City employees by eliminating positions that do not have budgetary funding and adjusts administrative job titles in the Fire Department to accommodate the unit modification.

COMMUNICATIONS

Fee Waiver - Citrograph Scholarship Fund - City Manager Davidson present a request from Citrograph Scholarship Fund for waiver of police fees for the April 30, 2004, fundraiser: "Vintage Redlands." Mr. Al Hernandez, Chairman of Vintage Redlands, was available to answer questions. Councilmember George moved to approve the request. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present.

UNFINISHED BUSINESS

Ordinance No. 2576 - Signs on Public Property - Community Development Director Shaw presented Ordinance No. 2576, an ordinance of the City of Redlands amending Chapter 12.55 of the Redlands Municipal Code relating to signs on public property and the use of City property for banners, which was prepared by the City Attorney in accordance with the City Council's direction at its last meeting. Councilmember Harrison asked to add a clarification that the banners to be placed on City property by the Redlands Community Hospital would only be along the west side of Terracina Boulevard. With this modification, Ordinance No. 2576 was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember George, further reading of the ordinance text was waived, and Ordinance No. 2576 was introduced, by AYE votes of all present, and laid over under the rules with adoption scheduled for May 4, 2004.

NEW BUSINESS

Texonia Park - Tony Martinez Park - Joe Gonzales, Northside Advisory Committee, made a presentation to the Parks Commission at their meeting of March 11, 2004, to rename Texonia Park to Tony Martinez Park in memory of Mr. Martinez. Mr. Gonzales presented staff with a petition containing 423 signatures with no addresses to verify residency. Staff has also received letters of support from Dr. C. Hyman and Arthur Rand of the Human Relations Commission. Texonia Park is an 11-acre park located at the northwest corner of Texas Street and Lugonia Avenue. It is used as a local neighborhood park and for several programs sponsored by the City's Recreation Division. These programs include T-ball and soccer for youth. The park contains a lighted softball field, lighted soccer fields, a playground and a small picnic area. Mayor Pro Tem Gil moved to continue this matter to May 4, 2004, to allow further conversation with the Human Relations Commission and more public input. Motion seconded by Councilmember Harrison and carried by AYE votes of all present. During the Public Comments section of the agenda, Mr. Gonzales asked why this item was pulled, and Mayor Pro Tem Gil reiterated he wanted to have further meetings with the Human Relations Commission, and wanted to allow everyone the opportunity for input.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 6270 - Great Neighborhood Program - Councilmember Gilbreath moved to adopt Resolution No. 6270, 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 George and carried by AYE votes of all present. (Also see Resolution No. 375 in the Redevelopment Agency minutes for April 20, 2004.)

Agreement - Auditing Services - Councilmember Gilbreath moved to approve the second amendment to an agreement for auditing services with Conrad and Associates, L.L.P. and authorized the Mayor and City Clerk to execute the amendment on behalf of the City. Motion seconded by Councilmember George and carried by AYE votes of all present. (Also see Redevelopment Agency minutes for April 20, 2004.)

PUBLIC COMMENTS

Public comments were received at this time regarding the Core Block development strategy and the Texonia Park. These comments are included within the minutes pertaining to said subjects.

CLOSED SESSION

The City Council meeting recessed at 3:38. to continue the Redevelopment Agency meeting and reconvened at 3:42 to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code Section 54956.8
 - a. Property: APNs 292-041-08, 09, 17, and 38
Negotiating parties: Gary Van Dorst and Larson and Marshburn
Under negotiation: Terms and price
 - b. Property: APNs 293-041-08-5001, 293-041-08-8001, 293-022-06-0000, 293-041-03-0000, and 293-041-08-0000
Negotiating parties: John Davidson and Doug Headrick
Under negotiation: Terms and price
 - c. Property: APN 300-601-05
Negotiating parties: John Davidson and Rescue Med Corp
Under negotiation: Terms and price
2. Conference with legal counsel: Anticipated litigation - Government Code Section 54956.9(b) - Two cases
3. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
 - a. Lacey Kjellberg v. City of Redlands
 - b. Rhonda Reyes v. City of Redlands

ADJOURNMENT

There being no further business, the City Council meeting adjourned following the closed session. The next regular meeting will be held on May 4, 2004.

City Clerk