

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 1, 2004.

PRESENT Susan Pepler, Mayor  
Gilberto Gil, 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; Jim Bueermann, 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 Pepler followed by the pledge of allegiance.

#### PRESENTATIONS

Tobacco Use Reduction Now - In recognition of the recent legislation passed for smoke-free parks, Michele Jacknik, San Bernardino County Public Health Manager, presented a glass plaque to the City Council for its outstanding work in the fight to crush tobacco's appeal. A Certificate of Recognition was also presented commending the City of Redlands' efforts to improve the health of the citizens of San Bernardino County which was signed by Assemblyman John Longville. Ms. Jacknik was accompanied by two other employees of the County Public Health Department and Ann Davis Schultz, Tobacco Free San Bernardino County.

Disaster Resistant California Community Award - Public Works Director Mutter introduced Mary Petite, Cost Recovery/CDBG Administrator, who presented the 2004 Disaster Resistant California Community Award on behalf of the Governor's Office of Emergency Service and the Collaborative for Disaster Mitigation. She also gave Mayor Pepler a polo shirt from the Governor's Office of Emergency Service.

#### 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 Gil, the minutes of the regular meeting of May 18, 2004, and the adjourned regular meeting of May 25, 2004, were approved as submitted.

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

Budget Study Sessions - Finance Director Kundig announced the schedule for the remaining budget study sessions is as follows: Tuesday, June 15, 2004, at 8:00 A.M. - Municipal Utilities Department; Tuesday, June 29, 2004, at 9:00 A.M. - adoption of the 2004-05 budget.

Planning Commission Actions - On motion of Councilmember George, seconded by Councilmember Gil, the report of the Planning Commission meeting held on May 25, 2004, was acknowledged as received.

Resolution No. 6276 - Parking and Business Improvement Area - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6276, a resolution of the City Council of the City of Redlands, County of San Bernardino, State of California, of preliminary approval of the annual report for fiscal Year 2004-2005 for Parking and Business Improvement Area B.

Resolution No. 6277 - Parking and Business Improvement Area - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6277, a resolution of the City Council of the City of Redlands, County of San Bernardino, State of California, declaring its intention to levy and collect assessments for Fiscal Year 2004-2005 in Parking and Business Improvement Area B, an assessment district, and offering a time and place (June 15, 2004) for hearing objections thereto.

Defense and Indemnity Agreement - Redlands Bible Church - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously approved a Defense and Indemnity Agreement with Redlands Bible Church for Zone Change No. 402 and Conditional Use Permit No. 818 for the proposed development of a 16,030 square foot religious institution on currently vacant property located on the northwest corner of Mentone Boulevard (Highway 38) and Amethyst Street within the unincorporated area of the County of San Bernardino and City of Redlands' sphere of influence area and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Proclamation - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a

proclamation congratulating Sherri and Robert Vines, recipients of the Rabbi Norman F. Feldheym Award, and offering sincere best wishes to Mr. and Mrs. Vines.

Appointments - Citrus Preservation Commission - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously approved reappointments of Gary Branstetter, Joe Buoye and Mike Huffstutler to four-year terms ending April 16, 2008, on the Citrus Preservation Commission.

Funds - Agreement - Congestion Management Program Analysis - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously approved an agreement to furnish traffic data collection services with Counts Unlimited, Inc. for conducting the Congestion Management Program analysis and report preparation, and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously approved a budget transfer amount of \$1,780.00 from the Office Supplies account to the Special Contractual Services account in the budget of the Public Works Department, Administration and Engineering Division.

Leases - Mutual Water Company Stock - 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, with Councilmember Gilbreath abstaining, leases for Bear Valley Mutual Water Company stock from San Bernardino Valley Municipal Water District (21,180 shares), David Knight (1,000 shares), Arnold and Margaret Wright (918 shares), and Tom Slemmer (4 shares) for the 2004-05 water delivery season. On motion of Councilmember George, seconded by Councilmember Pepler, the City Council approved, with Councilmember Gilbreath abstaining, the lease of 60 shares of Crafton Water stock to R. Craig Wesson, 20 shares of Crafton Water Company stock to Wayne Mishak, 5 shares of Crafton Water Company stock to Peter Buoye, 10 shares of Crafton Water Company to Mike Micallef, 7 shares of Crafton Water Company to Willis Bruns, and 98 shares of Crafton Heights Pipeline Company stock to Bear Valley Mutual Water Company for the 2004-05 water delivery season.

Contract - Software Maintenance and Support - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously approved an annual Software Maintenance and Support contract with Systems & Software, Inc. for support of application and hardware products for the Municipal Utilities Department's Customer Information System, and authorized the Mayor and City Clerk to execute the contract on behalf of the City.

Agreement - 1350 Zone Reservoir Project - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously approved an agreement to furnish engineering services with Dudek & Associates, Inc. for design of the 1350 Zone Reservoir and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

## COMMUNICATIONS

Entrance Fee - Western Division Pony All Star Games - Joe Ferrao, President of the Redlands Baseball and Softball for Youth, presented a request to charge admission fees and prohibit people from bringing food and drinks into the baseball field area of Community Park during the 2004 Western Division Pony All Star Games scheduled for June 30 through July 14, 2004. This proposal was presented to the Parks Commission on May 13, 2004. At that meeting, the Parks Commission recommended support of this program and approve and the request. Councilmember Pepler moved to approve the request as presented. Motion seconded by Councilmember Harrison and carried unanimously.

HOME Funds - Police Chief Bueermann presented a request to allow the Housing staff to request HOME funds from San Bernardino County Department of Economic and Community Development for the purpose of expanding existing housing programs and for the implementation of new programs utilizing Redevelopment set-aside funds for the 25 percent match required. Councilmember Gilbreath moved to approve this request; motion seconded by Councilmember Gil and approved unanimously.

Refund of Escrow Deposit - Gardner Construction and Development - Mayor Pepler presented a request from Gardner Construction and Development for a refund of the \$10,000.00 deposit held in escrow for the City-owned parcel of land (0.92 acre) located at the southeast corner of Cypress Avenue at Interstate 10. Mayor Pepler recommended approval of an amendment to the Agreement for Purchase and Sale and Escrow Instructions with Gardner Construction and Development, Inc. On behalf of Gardner Construction and Development, Mark Gardner addressed the City Council. Councilmember Gilbreath moved to approve the recommended amendment and authorize the Mayor and City Clerk to execute the amendment on behalf of the City. Motion seconded by Councilmember Harrison and carried unanimously.

## NEW BUSINESS

Ordinance No. 2579 - Noise Control Regulations - Community Development Director Shaw presented Ordinance No. 2579, an ordinance of the City of Redlands adding Chapter 8.06 to the Redlands Municipal Code to establish regulations for noise control, which was recommended for approval by the Planning Commission on April 27, 2004. Community Development Director Shaw reviewed the proposed ordinance in detail. Ordinance No. 2579 was read

by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Harrison, further reading of the ordinance text was unanimously waived, and Ordinance No. 2579 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for June 15, 2004.

### PUBLIC COMMENTS

City Logo - On behalf of the People for Inclusivity, Reverend John Walsh presented a letter supported by 65 individuals who are united in their conviction of an inclusive vision of Redlands and urged the City Council to follow through with its original decision to remove the cross from the City seal. They believe that the community is made better and stronger by acknowledging that Redlands is a spiritually broad and diverse community, and that it is the role of civic government, and the symbols that it employs, to represent all citizens, whether these citizens have religious affiliations or not. They further believe that it is the expressed role of faith communities and their clergy, not governments, to display religious symbols and share religious message. They encourage the City Council to hear their voice and the many diverse voices within the community. Reverend Dr. Sharon Graff informed Councilmembers they are not alone with their decision to remove the cross from the City seal.

### CLOSED SESSION

The City Council meeting recessed at 3:49 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code Section 54956.8
  - a. Property: APN 292-041-08, 09, 17 and 38
  - Negotiating parties: Gary Van Dorst and Doris E. Marshburn
  - Under Negotiation: Terms and price

### ADJOURNMENT

There being no further business, the City Council meeting adjourned at to an adjourned regular meeting to be held on June 15, 2004, at 8:00 A.M. in the City Council Chambers, 35 Cajon Street, Redlands, California.

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City Clerk