

MINUTES of an adjourned regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on Wednesday, September 3, 2008, at 2:00 P.M.

PRESENT

Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember
Jerry Bean, Councilmember

James G. Macdonald, Planning Commission Chairman
Ruth M. Cook, Planning Commissioner
Carol Dyer, Planning Commissioner
Paul Foster, Planning Commissioner
John E. James, Planning Commissioner
Gary W. Miller, Planning Commissioner
Eric R. Shamp, Planning Commissioner

ABSENT None

STAFF N. Enrique Martinez, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Oscar W. Orci, Community Development Director

Mayor Harrison called the meeting of the City Council to order. Planning Commission Chairman Macdonald called the meeting of the Planning Commission to order.

JOINT MEETING - CITY COUNCIL AND PLANNING COMMISSION

Specific Land Use Issues - Community Development Director Orci presented the following items to initiate a dialogue with members of the City Council and Planning Commission and to provide staff with appropriate direction or a course of action: freeway-oriented signs, development modifications, and formation of an Architectural Review Board.

Freeway-Oriented Signs - By consensus of members of the City Council and Planning Commission, staff was directed to review regulations for freeway-oriented signs to address the character of the property and neighborhood, to simplify content and to limit signage in a unified commercial center. On behalf of The Redlands Association, Bill Cunningham reminded Councilmembers, Planning Commissioners and staff that Measure U prohibits reader boards and billboards and limits signs to 120 square feet unless approved by a four-fifths vote.

Development Modifications - Recently, staff inspection activities have revealed numerous improper changes to a variety of development projects (cell tower, residential tract and office building). Staff has recently initiated

stricter administrative controls to ensure that projects are built as approved by the City. Staff is making greater efforts to require developers to build their projects per the approved plans prior to seeking "forgiveness" from the final approving body. Members of the City Council and Planning Commission expressed appreciation to staff for initiating stricter controls, and asked staff to explore the possibility of increasing and imposing penalties.

Architectural Review Board/Guidelines - The Planning Commission is preparing a recommendation for the City Council's consideration regarding architectural review formulating a set of detailed design guidelines, establishing a technical design review committee and establishing an Architectural Review Board. Members of the City Council and Planning Commissioners agreed to hold a joint workshop once the document has been prepared.

The City Council meeting recessed at 3:00 P.M. and reconvened at 3:07 P.M.

PRESENT

Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember
Jerry Bean, Councilmember

ABSENT

None

STAFF

N. Enrique Martinez, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Jim Bueermann, Police Chief; David Hexem, Chief Information Officer; Daniel Hobbs, Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tina Kundig, Finance Director; Mitch McKee, Interim Fire Chief; Oscar W. Orci, Community Development Director; Deborah Scott-Leistra, Human Resources Director; Gary van Dorst, Quality of Life Director

The meeting was continued with an invocation by Councilmember Gallagher followed by the pledge of allegiance to the American flag.

PRESENTATIONS

Pet Adoptions - Animal Control Officer Bill Miller and Redlands Animal Shelter volunteer Lynda Ackerman introduced Harold, a Chihuahua-mix who is available for adoption at the Redlands Animal Shelter.

Santa Ana River Trail and Parkway - Chief Strategist Patricia Lock-Dawson presented an update on the status of the Santa Ana River Trail and Parkway partnership.

PUBLIC COMMENTS

Flags for Veterans - Mary Ann Richardson asked the City Council for assistance to provide a small flag to each veteran at the Veteran's Hospital in Loma Linda on Veterans' Day and asked permission to solicit from local businesses for patriotic items to present to veterans for Christmas. Ms. Richardson was referred to the City Manager.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the minutes of the regular meetings of August 5, 2008, and August 19, 2008, as submitted.

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

Settlement Agreement - Stephen Kovack - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously acknowledged a Settlement and Release Agreement with 21st Century Insurance as subrogee of Stephen Kovack resulting from an incident which occurred on about the April 7, 2008, at or near Alabama Street and the I-10 Freeway, for \$19,811.64. The City Council authorized settlement of this lawsuit/claim and this agreement reflects the Council's terms and conditions for settlement.

Resolution No. 6756 - Signing Authority - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6756, a resolution of the City Council of the City of Redlands authorizing the City Manager, or his or her designee, to accept and consent to deeds or grants conveying interests in real property to the City of Redlands.

Appointments - Parks Commission - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously reappointed Tina Sray and Patricia Holohan to serve additional four-year terms ending on June 16, 2012, on the Parks Commission as recommended by Mayor Harrison.

Resolution No. 6754 - Annexation No. 4 to CFD 2004-1 - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted petition from Parviz Parvizyar, owner of the project identified as Minor Subdivision No. 288, Parcel Map No. 815, for property located at the southeast corner of Ford Street and the I-10 Freeway, and unanimously adopted Resolution No. 6754, a resolution of the City Council of the City of Redlands declaring its intention to annex territory to Community Facilities District No. 2004-1 of the City of Redlands and adopting a map of the

area proposed to be annexed thereto (Annexation No. 4), and setting a public hearing for October 7, 2008.

Resolution No. 6755 - Amendment No. 5 to CFD 2004-1 - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted petition from Lawrence Tepper, owner of the project identified as Commission Review and Approval No. 826 for property located at the southeast corner of California Street and Orange Tree Lane, and unanimously adopted Resolution No. 6755, a resolution of the City Council of the City of Redlands declaring its intention to annex territory to Community Facilities District No. 2004-1 of the City of Redlands and adopting a map of the area proposed to be annexed thereto (Annexation No. 5), and setting a public hearing for October 7, 2008.

Contract Award - Lugonia Avenue Storm Drain Outlet - Bids were opened and publicly declared on August 14, 2008, by the City Clerk for the Lugonia Avenue Storm Drain Outlet project; a bid opening report is on file in the Office of the City Clerk.

CEQA Exemption - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously determined that the award of the contract for construction of the Lugonia Avenue Storm Drain Outlet Project is exempt from environmental review under the California Environmental Quality Act pursuant to California Environmental Quality Act guidelines Section 15301(c).

Waiver - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously waived the irregularity in the bid for the Lugonia Avenue Storm Drain Outlet Project and determined the waiver does not give this bidder any competitive advantage.

Contract Award - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the plans and specifications for the Lugonia Avenue Storm Drain Outlet Project, awarded the construction contract to MCZ Construction, Inc. in the amount of \$122,044.00 and authorized a construction contingency of \$24,956.00 for a total amount of \$147,000.00 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Landscape Maintenance Agreement - Tract No. 17253 - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an agreement with Caltrans for landscape maintenance of the parkway on Lugonia Avenue (State Route 38) within the right-of-way associated with Grove Homes, LLC Development, for Tentative Tract No. 17253 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Landscape Maintenance Agreement - Amethyst Bible Church - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City

Council unanimously approved an agreement with Caltrans for landscape maintenance of the parkway on Mentone Boulevard within Caltrans right-of-way associated with the Amethyst Bible Church development under Conditional Use Permit No. 818 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Resolution No. 6753 - CIWMB Grant Applications - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6753, a resolution of the City Council of the City of Redlands authorizing the submittal of applications for All California Integrated Waste Management Board grants - RAC chip seal grants for a five-year period for the use of rubberized street pavement maintenance treatment applications and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Resolution No. 6750 - SCE Energy Leader Partnership Program - Due to a potential conflict of interest, Councilmember Bean 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 Gilbreath, seconded by Councilmember Gallagher, the City Council adopted Resolution No. 6750, a resolution of the City Council of the City of Redlands authorizing submission of an application to the Southern California Edison Energy Leader Partnership Program, by AYE votes of all present with Councilmember Bean having abstained.

Energy Efficiency and Conservation Block Grants - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized the Mayor and City staff to contact and correspond with elected officials to encourage support of full funding for the Energy Efficiency and Conservation Block Grants (EECBG) Program.

Conflict Waiver - Agreement - Fire Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the recommendation to approve a conflict of interest waiver in regards to LAFCO Annexation No. 3105 (Redlands Annexation No. 90), authorized the City Attorney to sign the letters on behalf of the City to facilitate the annexation process and authorized the City Manager to enter into an agreement with the County of San Bernardino maintaining the existing Automatic Aid Agreement for Fire Department services as found in Amendment No. 1 to Auto Aid Agreement, signed April 8, 2008, by the City Manager.

Agreements - Automobile Loans - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved updated automobile loan agreements between the Redlands Police Department and Toyota of Redlands and Hatfield Buick/GMC and authorized

the Mayor to execute, and the City Clerk to attest to, the documents on behalf of the City.

Resolution No. 6738 - Salary - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6738, a resolution of the City Council of the City of Redlands establishing a salary schedule and compensation plan for City employees and rescinding Resolution No. 6700.

Gift Policy - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously acknowledged receipt and ordered filed the following policy governing employee receipt of gifts:

I. STATEMENT:

The City of Redlands recognizes that gifts or entertainment to employees may be viewed by the public as intending to influence judgment and could possibly cause an employee to be placed in a compromising situation. Therefore, it is the policy of the City to prohibit acceptance of gifts by City employees. While common sense on the part of employees regarding the acceptance of gifts is the most realistic control, it is helpful to have some specific guidelines to follow which interpret the City's policy. The following guidelines are supplemental and in addition to the requirements of the Political Reform Act:

II. PROCEDURE:

A. Donation of Gifts

1. Gifts that are consumable or useable on the work premises should be returned to the donor in the spirit in which they were given with a thank you and explanation of why the employee cannot accept the gift as detailed in this policy. If it is not feasible to personally return the gift at the time it is given, the recipient employee may accept the gift upon the condition that the gift shall be donated to a bonafide charitable organization by the employee. Examples of items which fall under this category include plants, candy, baked goods and similar items. An employee who accepts a gift for subsequent donation must complete the attached form (Attachment "A") within 15 working days. The form identifies the gift, its value, the date received, the donor, and the charitable organization to which the gift was donated by the employee. For gifts which are accepted on the condition that they will subsequently be donated to a charitable organization, the employee should keep one copy, and forward one copy, of the form to the City Manager's Office for recording to ensure consistency for reporting purposes.

B. Return of Gifts

1. All alcoholic beverages and other gifts which are not consumable or useable on the work premises shall not be accepted and shall be returned to the donor in the spirit in which they were given. If the employee is given a prohibited gift, the employee should respectfully give the gift back with a thank you and an explanation of why the

employee cannot accept the gift as detailed in this Policy. If it is not feasible to personally return the gift at the time it is given, the recipient employee shall send the gift back to the donor with a note explaining why it is being returned.

III. EXCLUSIONS:

This policy does not pertain to meals or events, although disclosure requirements under the Political Reform Act will still apply. Nor does this policy prohibit an employee from accepting gifts that are consumable or useable on the work premises, as authorized by the City Manager, from the City or from another employee in recognition of exemplary service or performance of duties.

Resolution No. 6748 - Underground Utilities District - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6748, a resolution of the City Council of the City of Redlands establishing a date (October 7, 2008) for a public hearing to determine whether the public necessity, health, safety or welfare requires the formation of an underground utility district on Cypress Avenue between Lakeside Avenue and San Jacinto Street.

COMMUNICATIONS

Meeting Attendance - In compliance with Government Code Sections 53232.2 and 53232.3, there were no reports forthcoming from Councilmembers. Councilmember Gallagher reported he recently participated in a ride-along with Police Sergeant Travis Martinez.

UNFINISHED BUSINESS

Contract Award - Stuart Avenue Storm Drain Project - Bids were opened and publicly declared on July 22, 2008, by the City Clerk for the Stuart Avenue Storm Drain Project; a bid opening report is on file in the Office of the City Clerk.

CEQA Exemption - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously determined that the construction of the Stuart Avenue Storm Drain Project is exempt from review under the California Environmental Quality Act pursuant to Public Resources Code Section 21080.21 and directed staff to file a Notice of Exemption with the County Clerk.

Contract Award - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the plans and specifications for the Stuart Avenue Storm Drain Project and awarded the construction contract to WEKA, Inc. in the amount of \$2,417,704.00, authorized a construction contingency of \$497,296.00 for a total amount of \$2,915,000.00, 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 \$400,000.00 from the Storm Drain Construction Fund for this project.

NEW BUSINESS

Federal Lobbyist - Assistant City Attorney Michael Reiter suggested the City Council retain a federal legislative advocate who could assist the City with obtaining new federal funding opportunities and help advance matters of legislative importance to the City. Following brief discussion, Councilmember Gilbreath moved to authorize staff to solicit proposals for the services of a federal legislative advocate to pursue matters of legislative importance and funding opportunities for the City. Motion seconded by Councilmember Gallagher and carried unanimously .

Resolution No. 6752 - San Bernardino Lakes and Streams Study - Due to a potential conflict of interest, Councilmember Aguilar 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. Assistant Planner Chris Boatman reviewed the purpose of the San Bernardino Lakes and Streams Ecosystem Restoration Feasibility Study which will include areas within the 100 year flood plain in downtown Redlands and the Mission Zanja Channel. Planning for these areas will examine methods to reduce flood risks to downtown Redlands, the creation of a Crafton Hill detention basin, ecosystem restoration and recreational opportunities. Councilmember Gallagher moved to adopt Resolution No. 6752, a resolution of the City Council of the City of Redlands authorizing actions necessary to become a project partner for the San Bernardino Lakes and Streams Ecosystem Restoration Feasibility Study. Motion seconded by Councilmember Harrison and carried with Councilmember Gilbreath voting NO as she was concerned about future costs and with Councilmember Aguilar having abstained.

Appointment - BEDAC - Mayor Harrison moved to appoint Jessica Austin to serve a one-year term as the student commissioner on the Business and Economic Development Commission ending September 2, 2009. Motion seconded by Councilmember Gilbreath and carried unanimously .

City Treasurer Position - Due to the recent retirement of former City Treasurer Michael Reynolds, the City Council must fill the vacancy in this elective office by appointment of another individual or through the calling of a special election. Mr. Reynolds retired on August 20, 2008. Pursuant to State law, the City Council has 30 days to take action. Mayor Harrison suggested the City Council consider the following:

1. Determine whether the vacancy should be filled by City Council appointment or whether the City Attorney should be directed to coordinate with the City Clerk to prepare the necessary resolution for the City Council to call a special election at the September 16, 2008, meeting.

2. Determine whether the City Council should "reaffirm" the amendments the City Council made to the Redlands Municipal Code in October 2007 which modified the duties of the City Treasurer by placing all but the Treasurer's state law "statutory" duties with City's Finance Director.
3. Determine whether the compensation (salary and benefits) presently approved for the City Treasurer should be modified to be commensurate with any corresponding modification in assigned duties and direct staff to prepare any changes to the City's salary resolution and other documents to reflect any modification of compensation.
4. If a determination is made by the City Council to fill the vacancy by appointment, determine the method for soliciting applications and making a selection.
5. If a determination is made by the City Council to fill the vacancy by appointment with staff assistance, identify and discuss the qualifications of individuals deemed necessary to carry out the duties of the City Treasurer. Direct staff to document and distribute the qualifications in an appropriate manner.

Councilmember Gilbreath reiterated she did not think the position should be an elective position and did not want to appoint anyone but would rather call a special election to change the position to appointive. City Attorney McHugh said the state law says the City Council shall appoint someone to complete the term or call a special election to fill the position; he did not think Councilmember Gilbreath's suggestion would comply with State law but would research and report back to the Council. Following discussion, Councilmembers agreed to consider placing the question to change the position to appointive on a future ballot and agreed to continue this discussion to Wednesday, September 10, 2008, at 9:00 A.M. to consider an appointment and set the duties and salary. Joe Gonzales briefly addressed the City Council regarding this position.

Ordinance No. 2707 - Consolidation of Elections - The City Council adopted Ordinance No. 2694 on February 19, 2008, an ordinance of the City of Redlands moving the date of the City's General Municipal Election from the first Tuesday after the first Monday in November of the odd-numbered years to the first Tuesday after the first Monday in November of even-numbered years commencing with the year 2010 and requesting the Board of Supervisors of the County of San Bernardino to approve this ordinance permitting the City of Redlands' General Municipal Election to be consolidated on the same day. The Board of Supervisors of the County of San Bernardino unanimously approved our request at their meeting held on August 26, 2008. Ordinance No. 2707 has been prepared to bring the Redlands Municipal Code into compliance with this change in the City's election date. Ordinance No. 2707, an ordinance of the City of Redlands amending Chapter 2.58 of the Redlands Municipal Code relating to consolidation of the City's general municipal election, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the ordinance text was unanimously waived, and Ordinance No. 2707 was introduced with unanimous

Council approval and laid over under the rules with adoption scheduled for September 16, 2008.

CLOSED SESSION

The City Council meeting recessed at 4:54 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Anticipated litigation - Government Code §54956.9(b)(3)(a) - One case
2. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(b)(1) - One case - Facts and circumstances: Threat of litigation resulting from imposition of development impact fees (Due to a potential conflict of interest, Councilmember Aguilar did not participate in this matter; a Public Disclosure of Potential Conflict of Interest form is on file in the City Clerk's Office.

The meeting reconvened at 7:00 P.M.

PRESENT

Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember
Jerry Bean, Councilmember

ABSENT

None

STAFF

N. Enrique Martinez, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Jim Bueermann, Police Chief; David Hexem, Chief Information Officer; Daniel Hobbs, Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tina Kundig, Finance Director; Mitch McKee, Interim Fire Chief; Oscar W. Orci, Community Development Director; Deborah Scott-Leistra, Human Resources Director; Gary van Dorst, Quality of Life Director

CLOSED SESSION REPORT

Tolling Agreement - Senior Housing Services, LLC - City Attorney McHugh reported the City Council approved a tolling agreement with Senior Housing Services, LLC in relation to Conditional Use Permit No. 768 for the development of a 160-unit senior housing facility on property located at 1300 Orange Avenue with Councilmember Aguilar having abstained.

PRESENTATION

Dr. Harold Hill - In recognition of Dr. Harold Hill's many years of service to the community, members of the Friends of Caroline Park, Friends of Prospect Park and the Redlands Horticultural Improvement Society prepared a PowerPoint which was presented at this meeting. On behalf of the Friends of Caroline Park, Jo Lessard presented their 2009 calendar to Dr. Hill and members of the City Council. Kristin Saukel, Friends of Prospect Park, and Terry Hernstrom, Redlands Horticultural Improvement Society, announced their Friends of Prospect Park's new brochure is named the "Dr. Harold Hill Small Flowering Tree Tour in Prospect Park" and presented the first copies to Dr. Hill. An invitation was extended to Dr. Hill to plant a flowering tree of his choice in his honor in Prospect Park. Mayor Harrison presented proclamations from the City of Redlands, Assembly Member Bill Emmerson, the State Assembly and Senator Bob Dutton. Mayor Harrison also presented a key to the City mounted on a plaque to Dr. Hill. Dr. Hill expressed his appreciation for the recognition but noted many volunteers assisted him in his civic endeavors. He received a standing ovation from the audience. A reception was held upstairs following the presentation.

ANNOUNCEMENTS/REPORTS

Mayor Pro Tem Gilbreath reported on her recent attendance at the SANBAG and SCAG meetings. Councilmember Gallagher reported on his attendance at the recent Omnitrans meeting. Mayor Pro Tem Gilbreath announced the next meeting of the Healthy Redlands Initiative will be held on September 10, 2008, at 1:30 P.M. in the City Council Chambers.

PUBLIC HEARINGS

Funds - JAG Program Award - Public hearing was advertised for this time and place to consider approval of acceptance of the Byrne Justice Assistance Grant (JAG) Program Award which provides funding for local agencies to underwrite projects to reduce crime and improve public safety. Mayor Harrison declared the meeting open as a public hearing. Police Chief Bueermann reported the Byrne Justice Assistance Grant (JAG) Program Award provides funding for local agencies to underwrite projects to reduce crime and improve public safety. Mayor Harrison called for any public comments. There being no verbal or written comments, the public hearing was declared closed. Councilmember Gilbreath moved to accept the Byrne Justice Assistance Grant (JAG) Program Award, authorized execution of the document and authorized an additional appropriation of \$11,548.00 to fund the grant. Motion seconded by Councilmember Gallagher and carried unanimously.

UNFINISHED BUSINESS

Safety Hall Seismic Retrofit Project - The following report was prepared by Municipal Utilities and Engineering Director Hoerning, Police Chief Bueermann and Community Development Director Orci: On June 3, 2008, the City Council awarded the construction of the Safety Hall Seismic Retrofit Project to W. B. Allen Construction, Inc. of Riverside, California in an amount of \$505,360.00 and authorized a contingency for a total amount of \$556,000.00 from the Public Facilities Fund for Police Facilities. On August 8, 2008, the City Council authorized an additional \$41,000.00 to perform asbestos remediation in the old City Council Chambers and lobby area of the Safety Hall Facility. Asbestos remediation is underway. Subsequent to the August 8, 2008 City Council meeting, staff and consultants further inspected and evaluated the Safety Hall building facility. W. Tan Engineering the original seismic design engineer and Knapp & Associates, Inc. performed independent reviews of the site and building facility conditions and prepared assessment reports. As a result of the Consultants' reports, the severity of the additional roof load weight has become clear, resulting in the City Manager taking action to exercise care and caution by recommending to City Council that staff be relocated to other City facilities until suitable facilities can be provided. Staff is also recommending the additional roofing materials be immediately removed to protect the essential City service communication equipment located in the basement. The estimated cost for removing extra roof materials is approximately \$55,000.00 and replacing the roof is estimated at \$50,000.00 for a total estimated cost of \$105,000.00 for roof removal and replacement. The actual cost for the roof replacement cannot be determined until the roof material is removed. The additional roofing materials which are causing heavier dead loads than permitted by the building design need to be removed to alleviate the overburden and stress on the roof and structure and bring the loads back into the original design requirements. Further engineering evaluation of the building and design will be required after the extra roofing materials are removed. The cost of this engineering evaluation is estimated at \$35,350.00. This engineering evaluation is required to determine the amount of additional design required. A sample of the fire retardant material applied to the bottom of the roofing members has been sent to the laboratory to determine if it contains asbestos materials; results are pending. It is expected that after inspection and materials testing is completed, staff will be able to provide additional work program recommendations to City Council. Given the current project changes and potential for additional unforeseen conditions, as well as future required building improvements, it is prudent to evaluate and consider the appropriateness of the subsequent construction steps in improving this facility. It is known that additional engineering services and construction improvements will be required to design improvements to bring the existing facility in compliance with current code requirements for an Essential Facility. W. Tan Engineering has provided an estimate of probable engineering cost dated August 21, 2008 for the Essential Facility Building design of \$107,090.00, which includes the request herein of \$35,350.00. Because the City has already

planned to relocate the Police dispatch center, staff has commenced the relocation of the dispatch center to the City's Emergency Operation Center ("EOC") at the Corporate Yard. The balance of the staff will be relocated to other City facilities. Existing grant funding will be utilized to purchase upgraded radio and 9-1-1 equipment (approximately \$600,000.00). The remaining costs related to the relocation of the dispatch and operational staff is approximately \$140,482.00. This cost will be funded from the General Fund Building Maintenance Account (\$100,000.00) and shall be absorbed in the current Fiscal Year's budget (\$40,482.00). This cost does not include a modular unit for locker and shower facilities. The preliminary cost for such a facility is \$92,600.00, which is based on a single bid. Staff is seeking additional bids and has provided this preliminary cost for informational purposes.

Funds - Councilmember Gilbreath moved to authorize an additional appropriation of \$140,350.00 from the Public Facilities Fund for Police Facilities for the removal and construction of the roof, if necessary, to provide for additional engineering evaluation and inspection. Motion seconded by Councilmember Gallagher and carried with Councilmember Harrison voting NO.

Funds - Councilmember Gilbreath moved to authorize the expenditure of \$140,482.00 for expenses associated with relocation of the Police Department operation to an interim location in existing City facilities until permanent facilities can be established. Motion seconded by Councilmember Gallagher and carried unanimously.

Contract - Councilmember Gilbreath moved to authorize the City Manager to approve a construction contract and engineering service change orders with the stipulation updates would be provided to the City Council. Motion seconded by Councilmember Gallagher and carried unanimously.

PUBLIC COMMENTS

Homeless Partnership - Michele Francis Robinson urged the City Council to support the San Bernardino County Homeless Partnership and to participate in the Route 66 Rendezvous' fund raiser.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:11 P.M. to an adjourned regular meeting to be held on September 10, 2008, at 9:00 A.M. in the City Council Chambers.