

MINUTES of a special meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on Friday, April 10, 2009, at 8:00 A.M.

PRESENT Jon Harrison, Mayor  
Mick Gallagher, Councilmember  
Pete Aguilar, Councilmember

ABSENT Pat Gilbreath, Mayor Pro Tem  
Jerry Bean, Councilmember

STAFF Daniel J. McHugh, City Attorney; Michael Reiter, Assistant City Attorney; Lorrie Poyzer, City Clerk; Carl Baker, Public Information Officer, Jim Bueermann, Police Chief; Rosemary Hoerning, Municipal Utilities and Engineering Director; Jeff L. Frazier, Fire Chief; Oscar W. Orci, Community Development Director; Gary van Dorst, Quality of Life Director

Public Comments - Mayor Harrison called the special meeting of the City Council to order and provided an opportunity for the public to address them on the subjects which were scheduled on the agenda. Albert Kelley urged the City Council to be diligent in their actions today and stop the use of alcohol and drugs at the raves being held at Pharaoh's Lost Kingdom Theme Park.

#### CLOSED SESSION

The City Council meeting recessed at 8:04 A.M. to a closed session to discuss the following:

1. Conference with legal counsel - Government Code Section 54956.9(c)
  - a. One case: Possible initiation of litigation by the City

The meeting reconvened at 8:49 A.M. with the same attendance.

#### CLOSED SESSION REPORT

Pharaoh's Lost Kingdom Theme Park - City Attorney McHugh reported the City Council, by unanimous vote, authorized the City Attorney's Office to initiate litigation and other legal proceedings, as appropriate, to address matters at the Pharaoh's Lost Kingdom Theme Park.

#### NEW BUSINESS

Conditional Use Permit 617 - City Attorney McHugh explained that as a result of resident complaints and City Councilmembers' concerns over events that have been taking place at the Pharaoh's Lost Kingdom Theme Park, staff has

undertaken a review of Conditional Use Permit No. 617 issued in 1994 which authorized the construction and operation of the theme park. The purpose of staff's review was to determine if the activities that have been occurring at the theme park are in violation of the provisions of the Conditional Use Permit. At this time, it is the understanding of the City Attorney's Office that staff has made a preliminary determination that such violations may exist. Staff's review will be continuing. Accordingly, it is the City Attorney's opinion that the City Council, to protect the interests of Redlands and its residents, should consider directing staff to initiate proceedings pursuant to the Redlands Municipal Code for the possible revocation of Conditional Use Permit No. 617. City Attorney McHugh then reviewed the pertinent provisions of the Redlands Municipal Code relating to these proceedings. Kevin Collins did not think revoking the Conditional Use Permit was the answer to address isolated incidents at the park. The promoter of the events at Pharaoh's, Jeff Ryan Dillard, Motive Events, explained his company is a legitimate company providing entertainment at a dance festival and would follow the rules set up. There being no further comments from the audience, Councilmember Aguilar moved to direct the Community Development Department staff to initiate proceedings pursuant to the Redlands Municipal Code for the possible revocation of Conditional Use Permit No. 617. Motion seconded by Councilmember Gallagher and carried by AYE votes of all present.

Council Ad-Hoc Committee - Mayor Harrison reported there are a significant number of matters presently being addressed by City staff relating to the Pharaoh's Lost Kingdom Theme Park. The City Manager has informed us that he has a potential conflict of interest in connection with this matter, and with the advice of the City Attorney, the City Manager has found it necessary to recuse himself from discussion, deliberations and actions relating to the current operations at the theme park. As a consequence, it is important that City staff have a means of resolving questions and obtaining direction on matters that might otherwise be addressed by the City Manager. Therefore, he suggested the City Council form an Ad-Hoc Council Committee comprised of the Mayor and one other Councilmember to serve in this capacity. Councilmember Bean has agreed to serve with the Mayor on such a sub-committee. Councilmember Gallagher explained the City Manager's potential conflict of interest arose because a tenant of his is the promoter of the events at Pharaoh's and is a source of income. Councilmember Gallagher moved that the City Council approve the formation of an Ad-Hoc Council Committee comprised of Mayor Harrison and Councilmember Bean to address matters related to the Pharaoh's Lost Kingdom Theme Park. Motion seconded by Councilmember Harrison and carried by AYE votes of all present

PUBLIC COMMENTS

There were no public comments on any subjects that were not already scheduled on this agenda.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 9:01 A.M. The next regular meeting will be held on April 21, 2009.