

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on September 18, 2001, at 3:00 P.M.

PRESENT

Pat Gilbreath, Mayor
Gary George, Mayor Pro Tem
John L. Freedman, Councilmember
Susan Pepler, Councilmember
Karl N. "Kasey" Haws, 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; Bonnie Johnson, Finance Director; Karen Olsen, Personnel Director; Ronald C. Mutter, Public Works Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director.

TERRORIST ATTACKS

An audacious, cowardly air assault occurred on September 11, 2001, and the United States of America suffered the most devastating blow ever landed on its soil. Four commercial jets, carrying a total of 233 passengers and 33 crew members, were hijacked by terrorists early that morning. The two jets from Boston slammed into the 110-story World Trade Center in New York City; one from Washington, D.C. Dulles Airport dived into the Pentagon; and the jet from Newark, New Jersey, crashed in Shankville, Pennsylvania, probably due to the heroic efforts of several passengers on board. As of the date of this City Council meeting, 5,422 persons were reported missing, 201 were confirmed dead and only 135 of the deceased have been identified at the World Trade Center, and 188 people have been confirmed dead at the Pentagon. Shortly after the second attack on the World Trade Center, Tower 2 collapsed with Tower 1 also collapsing shortly thereafter killing not only the people in the buildings but an estimated 300 members of the New York Fire Department and 80 officers with the New York Police Department who were rescuing people from the buildings. President Bush declared these evil acts of terrorism as a declaration of war against our nation.

Mayor Pro Tem George compared the giant Sequoia trees in Sequoia National Park with the spirit of the United States of America. A Sequoia tree continues to live even after lightning strikes and fires, and so will the people of the United States of America. He said the real spirit of our country lies in our Constitution and our Bills of Rights, and that no outside force can destroy the majesty of the Constitution. Mayor Pro Tem George asked those in attendance to join him in prayer. He beseeched the Lord for assistance to ease the burden of pain due to

the loss of our loved ones; to help our nation bind up our wounds and deal with this terrible event; asked for special blessings for those valiant men and women who rushed in to help others without regard for their own safety and who selflessly surrendered their own lives in an effort to help those in need. And that while we know that life must go on, asked for guidance to hold those who perished forever in our hearts; that they may not be forgotten. He asked for His blessing on our nation in our hour of need. The audience then pledged its allegiance to our national flag and to the republic for which it stands, and the meeting was opened for business.

PRESENTATIONS

Certificates of Appreciation - Peace March - Human Relations Commissioner Leanora Jimenez-Sims distributed pictures of the World Trade Center with the Statute of Liberty in the foreground and a superimposed American Eagle to Councilmembers and staff. This picture was provided complements of Councilmember Freedman, members of the American Legion Post 106. She assisted Mayor Gilbreath in the presentation of certificates of appreciation for sponsorship of the *Peace March* held on May 12, 2001. Certificates were presented as follows: Robert J. Mielak, Grocery Manager for Albertson's Food and Drug for its donation of candy; Sons of the American Legion, Post 106, for the miniature United States flags with imprinted Pledge of Allegiance cards that were distributed at the event; and American Legion Post 106 for its donation of United States flags utilized at the event and also used to adorn the Human Relations Commission's float at the annual 4th of July parade.

Proclamation - Stater Bros. Markets - Mayor Gilbreath presented a proclamation to David Higginbotham, Grocery Superintendent, congratulating the largest locally owned supermarket chain in Southern California, Stater Bros. Markets, upon celebrating their 65th anniversary and wishing them continued success in serving the valued customers in the future. She also expressed condolences on the recent death of Cleo Stater, one of the founding brothers of the Stater Bros. Market.

CONSENT CALENDAR

Minutes - On motion of Councilmember Haws, seconded by Councilmember Freedman, the minutes of the regular meeting of September 4, 2001, were approved as submitted.

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

Funds - Cultural Enrichment Programs - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized an additional appropriation in the amount of \$14,000.00 as recommended by the Cultural Arts Commission and in accordance with the use designated by the University of Redlands.

Funds - Utility Billing Customer Information System - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously approved a proposal from Advanced Utility Systems Corporation

Planning Commission Actions - On motion of Councilmember Haws, seconded by Councilmember Freedman, the report of the Planning Commission meeting held on September 11, 2001, was acknowledged as received.

Ordinance No. 2470 - Adult Business Regulations - Ordinance No. 2470, an ordinance of the City of Redlands deleting Articles II, III, and IV of Chapter 18.156 of the Redlands Municipal Code relating to adult bookstores, adult entertainment facilities, and adult theaters, was unanimously adopted on motion of Councilmember Haws, seconded by Councilmember Freedman.

Proclamation - World Population Awareness - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized issuance of a proclamation declaring October 21-27, 2001, as World Population Awareness Week.

Proclamation - Constitution Week - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized issuance of a proclamation declaring the week of September 17-23, 2001, as Constitution Week.

Proclamation - Breast Cancer Awareness - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized issuance of a proclamation declaring the month of October as National Breast Cancer Awareness Month and October 19th as National Mammography Day.

Proclamation - UNICEF - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized issuance of a proclamation declaring the month of October, 2001, as Trick or Treat for UNICEF Month.

Funds - State Legislative Services - Councilmember Pepler questioned the timing of a proposed contract with Aaron Reed & Associates for legislative representation for the period October 1, 2001, through June 30, 2002, noting there is not much activity at the State Legislature during the months of February to June. She was also concerned about the duplication of costs and services as we just recently approved an expenditure of \$7,500.00 for the League of California Cities Grassroots Program. She suggested we hold this decision until the first of the year. Councilmember Freedman agreed with her. Councilmember George disagreed noting Aaron Reed & Associates are highly respected in Sacramento and he wanted to institute the contract. Councilmember Haws stated the City Council wanted a lobbyist in Sacramento

and wanted to think about this matter further. He moved to continue this matter to the first meeting in December. Motion seconded by Councilmember Freedman and carried unanimously.

Funds - Police Department - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously approved an additional appropriation in the amount of \$19,775.00 to purchase eight hand-held radios for the Police Department from their equipment contingency fund.

Substitution of Securities Documents - Fire Station No. 1 Renovations - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously accepted the Substitution of Securities documents from NBI General Contractors for the Fire Station No. 1 renovations project and authorized Mayor and City Clerk to sign the contract on behalf of the City.

Resolution No. 5960 - Traffic - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5960, 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: establish "no parking" zone along the north side of Ford Street under the Interstate 10 overpass between the on and off ramps.

Release of Lien Agreement - Alley Improvements - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized the release of the lien agreement dated August 1, 1983, for improvements in the alley adjacent to 132 San Jacinto Street.

Rule 1133 - South Coast Air Quality Management District - Councilmember Pepler moved that the City Council direct City staff to participate in the rule-making process for South Coast Air Quality Management District Proposed Rule 1133, which addresses compost facilities and the transport of green waste or other organics, by communicating with local legislators and the League of California Cities to make them aware of potential impacts to Redlands' residents if Rule 1133 is adopted. Motion seconded by Councilmember Freedman and carried unanimously.

Agreement - Water and Wastewater Rate Study - Mayor Gilbreath noted an amendment was recommended by staff to Article 6.1 of an agreement to furnish services for the preparation of a water and wastewater rate study with Dudek and Associates, Inc. and moved to approved said agreement with the amendment and to authorize the Mayor and City Clerk to sign the contract on behalf of the City. Motion seconded by Councilmember Freedman and carried unanimously.

Agreement - Redlands Emergency Services Academy - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously approved Amendment No. 1 to Agreement No.

11/01-0439 with the San Bernardino County Superintendent of Schools for the Redlands Emergency Services Academy 2000-2001 school year. This amendment extends the final date in which invoices are accepted for payment and is necessary to facilitate reimbursement of final invoices received.

COMMUNICATIONS

Donut Hole - Mayor Pro Tem George updated the negotiation process with the County of San Bernardino in regards to the Donut Hole. City and County staff will hold a meeting on Wednesday, September 19, 2001, to begin the preparation of an agreement. Water Resources Chief Headrick again explained how his division arrived at the figures, noting staff used the same formulas as were used for the Home Depot project.

Transit Center - Mayor Pro Tem George reminded Councilmembers that a concept plan for the Transit Center was approved in 2000. The new Redlands Mall owner now has expressed concerns regarding the loss of parking on Redlands Boulevard. Public Works Director Mutter presented a "thumbnail" sketch of Phase I and Phase II which will widen Redlands Boulevard to provide bus turn-arounds. He noted that Phase I is a good enhancement for Redlands Boulevard and would not be considered "throw-away" money spent if the Phase II Concept Plan was changed. Patrick Furlong, Redlands Mall Manager, presented concerns of the Redlands Mall owners, Sizzlers' Restaurant, and Washington Mutual. By consensus of Councilmembers, staff will proceed with Phase I and Phase II will be reviewed again by staff, the Redevelopment Advisory Board, and the Redlands Allies with the Redlands Mall owner's participation.

PUBLIC COMMENTS

National POW/MIA Remembrance Day - Mayor Gilbreath announced National POW/MIA Remembrance Day will be observed on Friday, September 21, 2001, at 11:00 A.M. at the Veterans' Memorial in the Jennie Davis Memorial Park. The event is sponsored by the American Legion Post Nos. 106 and 650, and the City of Redlands.

Northside Library Project - The second workshop for the Northside Library Project will be held on Thursday, September 27, 2001, at the Community Senior Center, 111 West Lugonia Avenue, from 7:00 P.M. to 9:00 P.M. Free child care and a Spanish translator will be available.

LAND USE AND PUBLIC HEARINGS

Appeal - CUP No. 732 - Public hearing was advertised for this time and place to consider an appeal to the decision made by the Planning Commission regarding the conversion of a single-family residence to office use at 214 Myrtle Street in the A-P (Administrative Professional) District. As the applicant requested a continuance of this public hearing, Councilmember George moved to consider

this matter at this time and continue the public hearing, as requested by the applicant, to October 2, 2001. Motion seconded by Councilmember Pepler and carried unanimously.

CLOSED SESSION

Noting the need to take action was immediate, Councilmember Freedman moved to add the following items to the closed session of the agenda which arose subsequent to the agenda being posted:

1. Conference with labor negotiator - Government Code Section 54947.6
Agency's negotiator: Karen Olsen
Employee Organization: Redlands Professional Firefighters
2. Conference with real property negotiator - Government Code Section 54956.8
Property: 1235, 1251, and 1255 Clay Street
(APNs 167-243-15, 16 and 17)
Negotiating parties: Naomi Silverglide for the Redlands Boys and Girls Club and Jim Bueermann
Under negotiation: Price and terms of payment for proposed lease agreement

Motion seconded by Councilmember George and carried unanimously.

The City Council meeting recessed at 3:59 P.M. to a Redevelopment Agency meeting and reconvened at 4:00 P.M. to a closed session to also discuss the following:

1. Conference with real property negotiator - Government Code Section 54956.8
 - a. Property: APN 167-303-24
Negotiating parties: Mike Taylor and James R. Bueermann
Under negotiation: Terms and price
 - b. Property: APN 175-144-20 - Hillside Memorial Park
Negotiating parties: O2 Wireless and Ronald C. Mutter
Under negotiation: Terms and price
 - c. Property: 1329 Barton Road
Negotiating parties: Peter Forteza and John Davidson
Under negotiation: Terms and price
2. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a) - Reid v. City of Redlands - SCVSS 62229

No report was expected following the closed session. Next regular meeting, October 2, 2001.

City Clerk