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 March 16, 2010 at

3:09 P.M.

PRESENT: Pat Gilbreath, Mayor

Jerry Bean, Mayor Pro Tem Mick Gallagher, Councilmember Pete Aguilar, Councilmember

ABSENT: Jon Harrison, Councilmember

STAFF:

N. Enrique Martinez, City Manager; Daniel J. McHugh, City Attorney; Sam Irwin, City Clerk; Carl Baker, Public Information Officer; Tom Fitzmaurice, Police Commander; David Hexem, Chief Information Officer; Daniel Hobbs, Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and

Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tina Kundig, Finance Director/City Treasurer; Jeff Frazier, Fire Chief; Oscar W. Orci, Community Development Director; Deborah Scott-Leistra, Human Resources Director; Gary Van Dorst, Quality of Life

Director

The meeting was opened with an invocation by Mayor Pro Tem Bean followed by the pledge of allegiance to the American flag.

**PRESENTATIONS:** 

Redlands Animal Shelter - Animal Control Officer Bill Miller and Volunteer Lynda Ackerman introduced Mamas, a 6-year old female Chihuahua who is available for adoption at the Redlands Animal Shelter. Ms. Ackerman informed the Council that 25 dogs and 16 cats have been adopted since their previous meeting.

# **CONSENT CALENDAR:**

Minutes - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved the minutes of the regular meeting of March 2, 2010 as submitted.

Agreement Amendment - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved an amendment to the Common Use Agreement with the San Bernardino County Flood Control District for recreational multi-use community trails.

Allocation Transfer – On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to approve a transfer of Residential Development Allocations for RDA 2007-IV-02 to Redlands Property Management Trust; and find that the transfer is exempt from

# REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS OF SAN BERNARDINO COUNTY, CALIFORNIA FLOOD CONTROL DISTRICT AND RECORD OF ACTION

May 11, 2010

FROM:

GRANVILLE M. BOWMAN, Flood Control Engineer

**Flood Control District** 

SUBJECT:

AMENDMENT NO. 1 TO COMMON USE AGREEMENT WITH CITY OF

REDLANDS FOR RECREATIONAL MULTI-USE COMMUNITY TRAIL ALONG

PORTIONS OF MISSION CHANNEL

# RECOMMENDATION(S)

1. Approve Amendment No. 1 to Common Use Agreement (Contract Number 06-764) between the San Bernardino County Flood Control District and the City of Redlands for City of Redland's use of additional portions of Mission Channel right-of-way for a recreational multiuse community trail system within the City of Redlands until terminated by either party upon sixty days prior written notice.

2. Waive the application of the prohibition on indefinite term contracts found in County Policy 11-06SP for this Amendment No. 1 to Common Use Agreement between the San Bernardino

County Flood Control District and the City of Redlands.

(Affected Districts: Third)

(Presenter: Granville M. Bowman, Flood Control Engineer, 387-7906)

# BACKGROUND INFORMATION

Approval of this item will amend the existing Common Use Agreement between the San Bernardino County Flood Control District (District) and the City of Redlands (City) for City's use of additional portions of Mission Channel right-of-way for a recreational multi-use community trail system (trail system) within the City. Approval of this item will also waive the application of the prohibition on indefinite term contracts found in County Policy 11-06SP for this Amendment No. 1 to Common Use Agreement, as the original Common Use Agreement provided that either party may terminate the agreement upon sixty days prior written notice.

On July 12, 2005 (Item No. 30), the Board of Supervisors (Board) approved a Memorandum of Understanding (Contract Number 05-696) between the District and the City to facilitate development of a trail system within portions of District right-of-way in the City.

On July 11, 2006 (Item No. 22), the Board approved a Common Use Agreement (CUA) (Contract No. 06-764) which authorized the City to use District-owned land for a trail system on Mission Channel right-of-way, from Alabama Street to a point approximately 620 feet upstream and from

Page 1 of 2

Flood-Eke w/ agree CC: Contractor c/o Flood w/ agree EBIX-BPO c/o Risk Mgmt w/ agree Auditor-Accts Pay Mgr w/ agree PW-Bowman County Counsel-Runyan CAO-Valdez File - w/ agree

jll 05/11/10

**ITEM 89** 

Record of Action of the Board of Directors

KETY FLOR APPROVED (CONSENT CALENDAR) COUNTY OF SAN BERNARDINO

County Flood Control District

MOTION

MOVE

LAURA H. WELCH, SECRETAR

DATED: May 11, 2010

# SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT FAS STANDARD CONTRACT

FOR COUNTY USE ONLY									
E X Ne	ew	Vendor C	ode		Dept.			Contract Number	
H	nange			SC	097	Α	00	-1104 141	
	X Cancel			Dept.	L	<u>, , , , , , , , , , , , , , , , , , , </u>		ntractor's License No.	
County Department					Orgi	n.	Col	ntractor's License No.	
Flood Control District					09	7			
Flood Control District Contract Representative					Ph. E	xt.	Amount of Contract		
Kenneth C. Eke					7-799	95			
Fund Dept. Organization		Appr.	Obj/Rev Source		e	Activity	Activity GRC/PROJ/JOB Number		
			, .	-					
Commodity Code				Estin	nated Pa	aym	ent Total by	y Fiscal Year	
1.	Commodit	, 0000	FY	Amo		I/D			
CUA - CITY OF REDLANDS									
MULTI-USE TRAIL SYSTEM									
MULI	I-USE I IV	AL SISIEM							

THIS CONTRACT is entered nereinafter called the District,		ornia by and between the San E	Bernardino County Flood Control District,	
Name CITY OF REDLANDS		hereinafter called	CITY	
Address				
35 CAJON STREET				
REDLANDS, CA 92373				
Phone	Birth Date			
(909) 798-7555				
Federal ID No. or Social Security No.				

## IT IS HEREBY AGREED AS FOLLOWS:

(Use space below and additional bond sheets. Set forth service to be rendered, amount to be paid, manner of payment, time for performance or completion, determination of satisfactory performance and cause for termination, other terms and conditions, and attach plans, specifications, and addenda, if any.)

### CITY OF REDLANDS

# **MULTI-USE TRAIL - COMMON USE AGREEMENT - AMENDMENT NO. 1** WITNESSETH

WHEREAS, on July 12, 2005, DISTRICT and CITY previously executed Memorandum of Understanding (MOU), Contract No. 05-696, in which the parties agreed to cooperate in the development of a multi-use trail system within portions of DISTRICT right-of-way in the CITY, and

WHEREAS, the MOU stipulates that "individual portions of the approved conceptual plan shall be accomplished under a separate agreement......" and

WHEREAS, DISTRICT and CITY on July 11, 2006, executed Common Use Agreement, Contract No. 06-764, hereby incorporated by reference, for recreational multi-use community trail along portions of Mission Channel, and

WHEREAS, DISTRICT issued Construction Permit Nos. P-32007024 and P-32008051, to Rossmore Enterprises and Environmental Systems Research Institute, Inc. (ESRI) (hereinafter called DEVELOPERS), per construction plans approved by CITY, and

WHEREAS, DEVELOPERS have constructed within DISTRICT right-of-way (AREA OF COMMON USE NO. 2) for CITY, multi-use community trail, along the north access road of Mission Channel, from Nevada Street to approximately 615 feet east of Nevada Street and from Tennessee Street to New York Street (hereinafter called "CITY IMPRÓVEMENTS NO. 2"), which improvements are shown on the attached plans, marked "Exhibit C" and incorporated herein by reference, and said AREA OF COMMON USE NO. 2 is shown on the attached map, marked "Exhibit D" and incorporated herein by reference.

WHEREAS, DISTRICT and CITY concur that CITY IMPROVEMENTS NO. 2 in AREA OF COMMON USE NO. 2 constitute an additional reach of the multi-use trail system and desire to amend the existing Common Use Agreement, Contract No. 06-764, to address CITY IMPROVEMENTS NO. 2 located in AREA OF COMMON USE NO. 2.

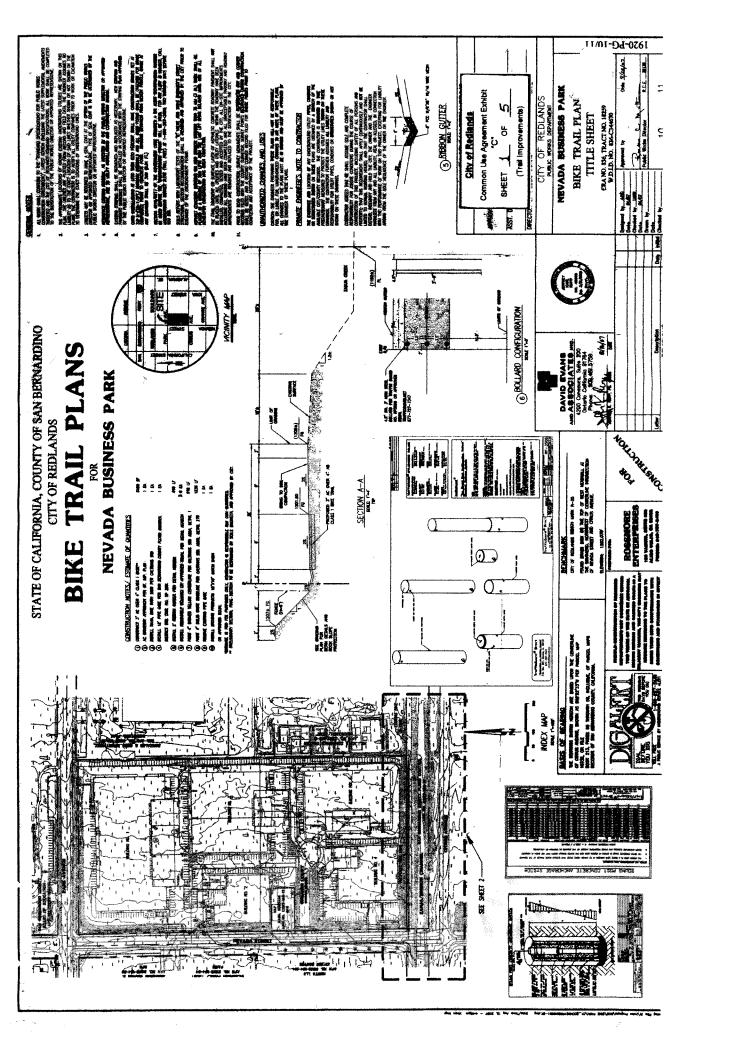
## NOW, THEREFORE, IT IS UNDERSTOOD AND MUTUALLY AGREED AS FOLLOWS:

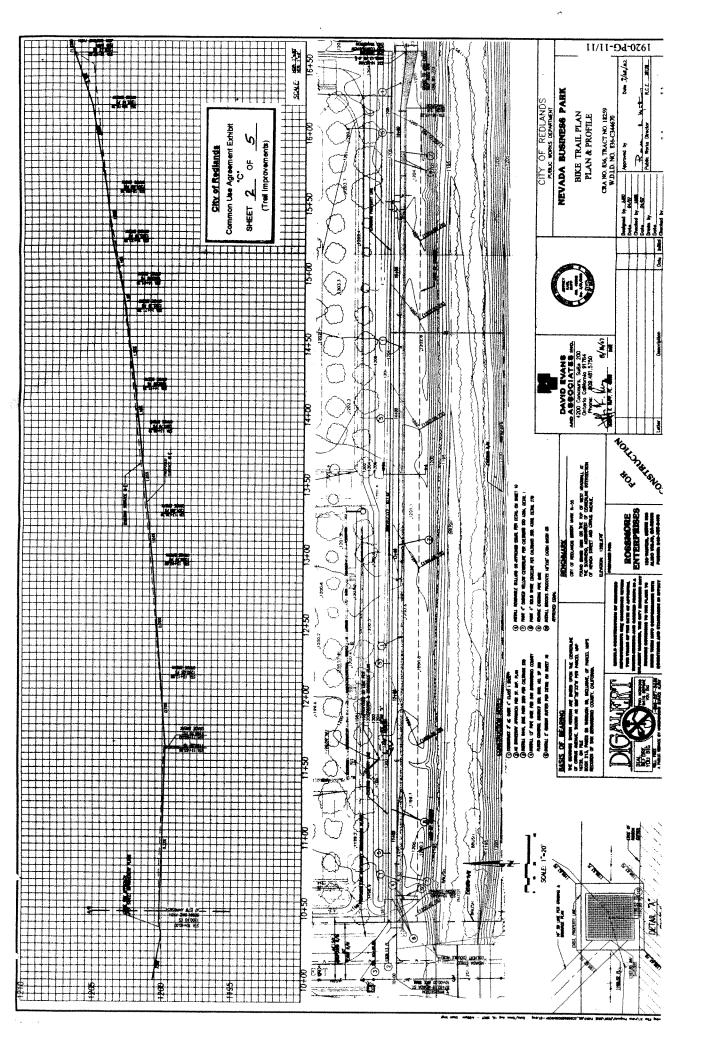
- 1. DISTRICT and CITY amend the existing Common Use Agreement to include CITY IMPROVEMENTS NO. 2 located in AREA OF COMMON USE NO. 2 as shown on "Exhibit C" and "Exhibit D" attached hereto and made a part hereof.
- 2. DISTRICT and CITY agree that all terms and conditions of the existing Common Use Agreement shall also apply to CITY IMPROVEMENTS NO. 2 located in AREA OF COMMON USE NO. 2.
- 3. The definitions of CITY IMPROVEMENTS and AREA OF COMMON USE used in the Common Use Agreement are amended to include CITY IMPROVEMENTS NO. 2 and AREA OF COMMON USE NO. 2., defined herein.

This Amendment No. 1 shall take effect on the date it is signed by both parties. This Amendment No. 1 shall inure to the benefit of and be binding upon the successors and assigns of both parties.

IN WITNESS WHEREOF, the parties hereto have caused the respective names to be hereunto subscribed and their respective seals to be hereunto affixed by their respective proper officers thereunto duly authorized.

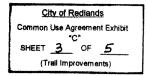
SAN BERNARDING COUNTY FLOOD CONTROL DISTRICT	C	CITY OF REDLANDS	
+ Hang Chi	▶ (	Pat Dilheath	
Gary C. Ovitt, Board Chai man	Ву	(Authorized Signature)	
Dated MAY 1 1 2010	Name -	Patricia Gilbreath	
	Title _	Mayor	
SIGNED AND CERTIFIED THAT A COPY OF THIS	Dated		
DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD OF DIRECTORS Laura H. Welch, Secretary of the Flood Control District		35 Cajon Street Redlands, CA	
By Pepul Si	ATTESTED	Approved as to Legal Form  Sam Irwin, City Glerk	
Approved as to Legal Form Reviewed as to Contract C	ompliande Loubli	Presented to Board for Signature	
County Counsel  Date 5-3 Date 5/3	/10	Date 5/5/10	





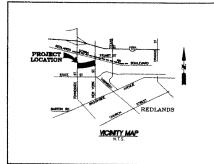
# ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE

SIGNING AND STRIPING BIKE TRAIL-ALONG MISSION CREEK CHANNEL (FROM TENNESSEE ST. TO NEW YORK ST.) CRA 825 REV. 3



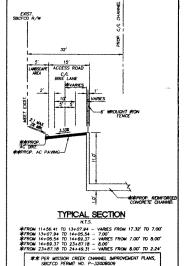
#### STRIPING AND SIGNING NOTES

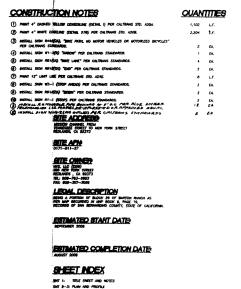
- PAVENENT MARKINGS SHALL CONFORM TO THE THE STANDARD PLANS OF THE STATE OF CALIFORNIA (DATED MAY 2008) STENCES.
- 3. TRAFFIC SIGN SIZE SHALL BE STANDARD LIBERS CITHERWISE SHOWN ON THE PLANS
- If SHALL BY THE RESPONSIBILITY OF THE CONTRACTOR TO MARITAN BARRICADES, DELINEATORS OR OTHER TRAFFIC CONTROL AT ALL TRAFS.



### NOTICE TO CONTRACTORS

BENCHMARK

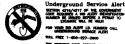




SBCFCD PERMIT NO. P32008051

CITY OF REDLANDS
MANUFAL UTLITES AND ENGINEERING DEPARTMENT
TITLE SHEET AND NOTES
SIGNING AND STRIPING PLANS
FOR BIKE TRAIL ALONG MISSION CREEK CHANNEL I TENNESSEE ST. TO NEW YORK ST. REVISIONS

DASIS OF BEARING



ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE

380 NEW YORK STREET REDLANDS , CA 92373 (909) 793-2853

