

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 January 5, 2009, at 3:00 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; Tom Fitzmaurice, Police Commander; David Hexem, Chief Information Officer; Daniel Hobbs, Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tom Steele, Assistant Finance Director/City Treasurer; Jeff L. 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 Councilmember Bean 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 Flo, a lively 2-3 year old beagle who is available for adoption at the Redlands Animal Shelter.

Verizon Community - Councilmember Aguilar introduced representatives from Verizon who presented a check for \$20,000.00 to Trinity Community Foundation who operate the Micah Houses, \$24,500.00 to Mustard Seed Tutorial, and \$44,000.00 to the Redlands Community Hospital Foundation.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the minutes of the special meeting of December 16, 2008, and the regular meeting of December 16, 2008. as submitted.

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

Bikeway License Agreement - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously found

that the bikeway license agreement with SANBAG was exempt from the California Environmental Quality Act pursuant to Section 15061(b) of the CEQA Guidelines, and unanimously approved said agreement for the possible use, construction and maintenance of the Orange Blossom Trail and associated improvements with the SANBAG right-of-way between Grove Street and Nice Avenue, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

OSC 08-01 - Clarito Silverio - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously determined Outside City Case 08-01 for APN 298-231-70 is consistent with the City of Redlands General Plan and that the public health, safety and welfare, and the best interests of the citizens of Redlands, are served by the City's continued processing of the application for a sewer connection for a residential development.

Stuart Avenue Storm Drain Project - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved a right-of-entry letter of permission with the American Legion Post 106 to permit the City to construct the Stuart Avenue Storm Drain improvements across the American Legion property.

Professional Consulting Services Procedures - Municipal Utilities and Engineering Director Hoerning reviewed the proposed procedures retaining professional service agreements. Staff recommended the current practices be changed and that all technical consultants be selected and retained by the City and that the consultants perform their work under the direct supervision of City staff. Councilmember Aguilar questioned some of the mechanical issues that could occur. Councilmember Bean thought the process should go through the normal procurement process and that the City should increase the amount of the deposit and make sure the deposit is in place before works starts. Councilmember Harrison moved to continue this proposal to the first meeting in February to clarify some of the concerns. Motion seconded by Councilmember Aguilar and carried unanimously.

Funds - Amendment - Development Impact Fees Study - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized an appropriation of \$26,500.00 from various Development Impact Fee Funds, approved an amendment to the professional services agreement with Colgan Consultants, Inc. and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Local Emergency Reports - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council acknowledged receipt of the reports regarding the status of the declared local emergencies at the Safety Hall (Resolution Nos. 6778 and 6803).

Ordinance No. 2711 - CalPERS Amendment - Ordinance No. 2711, an ordinance of the City of Redlands authorizing an amendment to the contract between the City Council of the City of Redlands and the Board of Administration of the California Public Employees' Retirement System which will allow the "Golden Handshake for 2009, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher.

COMMUNICATIONS

Meeting Attendance - In compliance with Government Code Sections 53232.2 and 53232.3, there were no reports forthcoming from Councilmembers. Councilmember Gallagher congratulated Jerry Bean on being named Publisher Executive of the Year by the California Press Association. Councilmembers Aguilar and Gilbreath reported they will be attending the League of California Cities Executive Board meeting on Thursday, January 8, 2009. Councilmember Bean will be attending the Chamber of Commerce's installation of new officers and Man and Woman of the Year Awards dinner on Thursday, January 8, 2009.

UNFINISHED BUSINESS

Redlands Economic Development Plan - The City Council continued its review and discussion regarding the Economic Development Strategy Report first presented to the City Council on September 16, 2008, and again on October 21, 2008, and November 4, 2008. On behalf of The Redlands Association, Bill Cunningham urged the City Council to come to a benchmark for the community and developers to know what we want for our City. Councilmembers discussed the recommendations regarding the Wal-Mart expansion, awarding of LEED points, a study of the groves and possible ballot measure, changing the title of the RDA Director which has been done, more Redevelopment Agency use of consultant specialists, land use fiscalization, annexation of the Donut Hole, joining the IVDA and SBIAA, development of an online-to-college program, working with San Bernardino County Workforce Development, aggressive code enforcement with emphasis on absentee owners, creation of a downtown restaurant row, work on "branding" the community image, creation of a zone by the Redlands airport to locate hi-tech/GIS-type businesses, and looking at the economic potential of "greening" and "green" industries. Jonathan Abraham urged the City Council to look at green renewal for economic development. Redevelopment and Economic Development Director Hobbs informed Councilmembers the next step would be a final follow-up meeting on February 3, 2009, when Councilmembers will make decisions on the recommendations and set priorities.

NEW BUSINESS

Safety Hall Interim Local Plan - Community Development Director Orci reported that all Safety Hall personnel, including Dispatch personnel, have been

relocated to the various police facilities located throughout the City. This relocation effort has resulted in operational efficiency issues and the immediate need to create an interim solution in order to create a detention (lockup) facility as well as one central police patrol area. The Task Force (Department Heads and key subordinate personnel) reviewed numerous properties and identified those properties that were considered potentially suitable for an interim Police use. This determination was based upon a minimum building size (20,000 square feet), type of construction (tilt-up construction), parking availability and lease/purchase rate. Several properties were identified that were large enough for the interim facility; the cost to improve these buildings ranged from approximately \$5 to \$12 million dollars, depending on whether these buildings were leased or purchased. The cost included seismic upgrades (required by 2007 California Building Code) as well as a detention facility. Due to the City's financial limitations, the Ad-Hoc Committee found that it would be a financial burden to purchase or lease property and improve it for the short term. Therefore, the Ad-Hoc Committee identified an option that would not involve purchasing or leasing property; rather, it would involve the use of Fire Station No. 264 for the patrol, detention holding facilities and related administrative functions. At the October 28, 2008, Meeting of the Whole, the Council found this option suitable and directed that the Ad-Hoc Committee bring this matter to a regularly scheduled meeting with more specific information, including funding. The Interim Plan consists of moving police patrol, detention, forensics (outdoor related activities) and records (counter staff only) into the existing Fire Station 264 Emergency Operations Center (EOC). The Plan involves the installation of a new portable building to house the Fire Department staff displaced by the relocating patrol and records staff to the EOC facility and the installation of an additional modular unit to serve as a detention facility. Essentially, Fire Station 264 will now serve as the interim Safety Hall with an Emergency Operation Center that will provide public access to the Police and Fire Departments. Securing approvals for the portable detention facility requires approval by the State Department of Corrections (DOC). While Staff believes it has prepared an appropriate facility, the final requirements and elements of the portable detention (lockup) facility are unknown at this time. The processing timelines to secure the DOC approval appear lengthy (6 to 12 months); however, Staff met recently with a DOC representative who provided information on how best to structure the detention facility to reduce the processing timelines to an estimated three to six months period. Staff will take measures consolidate and expedite the DOC approval process where possible. Because of the potential lengthy DOC review timeline coupled with the immediate need to remediate ongoing operational fragmentation that is being experience by the patrol functions, Staff purposes a phased construction process. The project can be completed in phases in order to expedite the movement of police personnel into the facility and provide the public with a permanent place to perform police business. The proposed phases are as follows:

- Phase 1: Construct site and utility improvements and install the portable Fire Station and relocate fire staff into the portable (estimate \$306,000.00).
- Phase 2: Install the Police Department tenant improvements at the EOC and relocate the Police Department patrol and records staff into the EOC (estimate \$235,000.00).
- Phase 3: Install the DOC approved portable detention facility.
- Phase 4: Relocate the IT Sever and communications equipment from Safety Hall to the Police Department Annex Facility.

Staff is requesting approval to proceed with Phase 1 and Phase 2 improvements. The budget associated with this work is approximately \$541,000.00. Staff is recommending the City Council appropriate \$600,000.00 from Building Facilities Fund, Police Department, to cover the cost of this work. Until the completion of the DOC review and approval process, it is difficult to ascertain the budget for the portable detention facilities. Subsequent information will be brought back to the City Council once the scope of work for the detention facility is further defined. At this time, the IT server and communication equipment at Safety Hall is secure from the threat of inclement weather damage. The decision as to if and when to relocate this equipment can be deferred until staff, the Ad-Hoc Committee, and City Council determine the disposition of the existing Safety Hall. Cost effective methods to relocate the IT server and communication equipment are still being evaluated. Councilmember Gilbreath moved to appropriate \$600,000.00 from the Public Facilities Fund, Police Facilities, to implement Phase 1 and 2 of the Safety Hall Interim Location Plan. Motion seconded by Councilmember Gallagher and carried unanimously.

Resolution No. 6806 - Priority List - Assistant City Attorney Michael Reiter reported the City retained Van Scoyoc Associates, Inc. (VSA) in Washington, D.C. as the City's Federal Legislative Advocate. On December 17, 2008, Steve Palmer of VSA met with City staff to create a priority list of projects based on the City's goals and objectives. These are the projects that are a high priority for the City, and VSA has identified projects with the highest chance of success for funding. The exception is funding for Safety Hall, which is a high priority for the City, but less likely to receive funding. A summary was presented of the projects, which included the Alabama Street/Colton Avenue/Redlands Boulevard Intersection Realignment Project, Downtown Storm Drain Replacement Project, Recycled Water Project, Crime Control Research Program, City Facility HVAC Replacement Project and Safety Hall Replacement Project, their likely funding source and the relation to the City's goals and objectives. Jonathan Abraham suggested including in next year's priority list the Redlands Metrolink station and parking structures in the downtown area. Bill Cunningham urged the City Council not to be modest in our requests. Councilmember Gilbreath moved to adopt Resolution No. 6806, a resolution of the City Council of the City of Redlands establishing a priority list of City projects for purposes of federal funding. Motion seconded by Councilmember Gallagher and carried unanimously.

Letter of Support - Intersection Improvements - Municipal Utilities and Engineering Director Hoerning reported that on December 1, 1992, the City of Redlands entered into an agreement with the City of Loma Linda and the County of San Bernardino to prepare construction documents for the construction of intersection improvements at California Street and Redlands Boulevard. The cost sharing agreement approved in 1992 provided a 52 percent cost sharing allocation to the City of Redlands for the project design services. The construction documents were prepared, and the project has laid dormant due to a lack of funding resources. Now the City of Loma Linda has requested a letter of support for the construction of the intersection improvements at California Street and Redlands Boulevard. This intersection is jurisdictionally split between the two cities, and the City of Loma Linda is currently actively pursuing funding for these improvements. A letter of support would help demonstrate the regional benefit and interest toward constructing the master planned improvements. Staff does consider the project important and as such recommends the issuance of a letter of support for outside funding; however, relative to the many street improvement priorities within the City of Redlands staff considers these improvements to be a lower priority than some other planned improvements such as Alabama Street/Redlands Boulevard/Colton Avenue and Redlands Boulevard, Church Street and other City arterial and local street improvements. That being said, should a substantial amount of outside funding be secured the cost benefit ratio of the project should be evaluated along with local funding between the cities to potentially advance the project. At this time, because the funding level is unknown it is premature to discuss these matters in detail; however, the City Manager for Loma Linda has indicated a willingness to engage in discussion regarding a local funding arrangement. The project consists of construction of a new 9 foot by 40 foot wide double cell reinforced concrete storm drain box culvert across the intersection to safely convey the Mission Creek storm water, realignment of the intersection to eliminate the off-sets to improve safety and vehicle travel time, and construction of a new traffic signal system to complement the reconfigured intersection. The estimated construction cost for these improvements is approximately \$5.8 million dollars. A representative from the City of Loma Linda was present and thanked the City Council for its consideration of this request. Councilmember Gilbreath suggested the addition of "Loma Linda" to the subject line to make it clear the City of Redlands supported the City of Loma Linda and moved to approve a letter of support to secure funds to construct the intersection improvements at California Street and Redlands Boulevard as requested by the City of Loma Linda. Motion seconded by Councilmember Gallagher and carried unanimously.

Fee Waiver - Martin Luther King, Jr. Day Parade - Fire Chief Frazier reported the City has received a request from Holistic Healing for Youth for the waiver of fees regarding police services and for the use of the Redlands Bowl, Mission Gables restrooms and Smiley Park associated with their third annual Martin

Luther King, Jr. Day parade to be held on Monday, January 19, 2009. The requested waiver of fees includes the amount of \$1,181.00 for police services and \$1,312.00 for park fees (including \$800.00 in cleaning deposits). In previous years, the City Council has waived the fees. Staff recommended waiver of all City related fees with the exception of the Mission Gables restrooms use fee and park attendant fees in the total amount of \$390.00. Councilmember Gilbreath moved to approve the request from Holistic Healing for Youth for the waiver of fees relating to police and fire services associated with the annual Martin Luther King, Jr. Day parade to be held on January 19, 2009. Motion seconded by Councilmember Gallagher and carried unanimously. Councilmember Gilbreath moved to require the park reservation and attendance fees for the use of the Redlands Bowl, Mission Gables Restrooms and Smiley Park in the amount of \$1,312.00 be paid by the Holistic Healing for Youth and that all certificates of insurance be submitted prior to the event. Motion seconded by Councilmember Gallagher and carried unanimously. Councilmember Gilbreath moved to approve the waiver of cleaning deposit fees in the amount of \$800.00 associated with the use of the Redlands Bowl and Smiley Park with the understanding that the City will charge the organization for any cleaning costs that would have been covered by the deposit with exception of the Mission Gables restrooms use fee and park attendant fees in the total amount of \$390.00. Motion seconded by Councilmember Gallagher and carried unanimously.

CLOSED SESSION

The City Council meeting recessed at 5:31 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code §54956.8
Property: APN 167-011-09 and 11
Negotiating parties: N. Enrique Martinez, Oscar Orci and
Randy Scott, San Bernardino Water Conservation District
Under negotiation: Terms and price for possible purchase of property
2. Conference with real property negotiator - Government Code §54956.8
Property: APN 0171-053-01 and 02
Negotiating parties: N. Enrique Martinez, Daniel Hobbs and
Martin Vahtra (GGP-Redlands Mall, L.P.)
Under negotiation: Terms and price for possible purchase of property
3. Conference with legal counsel - Existing litigation - Government Code Section 54956.9(a)
 - a. Mary Jane Both v. City of Redlands, et al - San Bernardino County Superior Court Case No. SCVSS 148597

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; Tom Fitzmaurice, Police Commander; David Hexem, Chief Information Officer; Daniel Hobbs, Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tom Steele, Assistant Finance Director/City Treasurer; Jeff L. Frazier, Fire Chief; Oscar W. Orci, Community Development Director; Deborah Scott-Leistra, Human Resources Director; Gary van Dorst, Quality of Life Director

CLOSED SESSION REPORT

There was no reportable action taken during the closed session.

PRESENTATIONS

Student Commissioners - Mayor Harrison thanked the following students for their service as student commissioners in 2008: Bart Stasiuk, Human Relations Commission; Manny Szwabowski, Parks Commission; Leila Magistrado, Recreation Commission; and Daniel Knight, Traffic and Parking Commission. Mayor Harrison welcomed the following student commissioners for 2009: Valerie Pooudomsak, Human Relations Commission; John Paul Beall Frehner, Parks Commission; Kristian Beall, Recreation Commission; and Alekandra Stasiuk, Traffic and Parking Commission.

North Redlands Visioning Committee - Mario Saucedo presented a report of the North Redlands Visioning Committee's activities in 2008 and their goals for the new year. Mayor Harrison expressed appreciation to Mr. Saucedo and his committee for their efforts and thanked staff for working with the committee.

ANNOUNCEMENTS/REPORTS

Mayor Pro Tem Gilbreath reported 1,049 trees have been planted and she recently signed a check for \$20,000.00 representing the last payment to West Coast Arborists. Healthy Redlands will meet on January 15, 2009, at 1:30 P.M. here in the City Council Chambers. Mayor Harrison reported the Climate Action Task Force will hold its first meeting on January 14, 2009, at 6:00 P.M. in the City Council Chambers. He reminded everyone of the Chamber of Commerce installation and Man and Woman of the Year Awards dinner will be held on January 8, 2009, in the Casa Loma Room.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Agreement - GGP-Redlands Mall, L.P. - Redevelopment and Economic Development Director Hobbs explained the property commonly referred to as the Redlands Mall, located at 100 Redlands Mall (APN 0171-053-01 and 0171-053-02) is owned by General Growth Properties-Redlands Mall, L.P. (collectively "GGP"). In an attempt to engage in discussion among the City Council/Redevelopment Agency and GGP with respect to the sale and purchase of the property, Martin Vahtra, Senior Director of GGP, approached Redlands City Attorney Dan McHugh and Redevelopment and Economic Development Director Dan Hobbs with a confidentiality agreement. In the agreement, GGP discusses how they anticipate "disclosure of delivery of non-public, confidential or proprietary financial, legal, technical, business or other information". Approval of the confidentiality agreement allows the City Council/Redevelopment Agency and GGP to engage in discussions with respect to the sale and purchase of the property without jeopardizing confidential information. Councilmember Gilbreath moved to approve the confidentiality agreement with General Growth Properties-Redlands Mall, L.P. and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember Gallagher and carried unanimously. (Also see Redevelopment Agency minutes for January 6, 2009.)

PUBLIC HEARINGS

Resolution No. 6805 - CFD No. 2004-1 - Annexation No. 6 - Public hearing was advertised for this time and place to consider Resolution No. 6805, a resolution of the City Council of the City of Redlands calling for a special election for Annexation No. 6 to Community Facilities District No. 2004-1 (Tract No. 14790-1-Cordillera's Homeowner Association). Mayor Harrison declared the meeting open as a public hearing and called upon the City Clerk for proof of publication and mailing of the notice of this hearing. City Clerk Poyzer reported a notice was published in the Redlands Daily Facts on December 29, 2008, and notices were mailed to the 85 registered voters on December 8, 2008. Municipal Utilities and Engineering Director Hoerning reviewed the staff report with regard to the annual levy of special taxes within the territory proposed to be annexed to Community Facilities District No. 2004-1 to pay the cost of services to be provided by the District and incidental expenses. Mayor Harrison called for protests, comments and questions from any person wishing to speak. There were no verbal or written comments. When asked by Mayor Harrison, City Clerk Poyzer replied she would agree to holding the special election on May 5, 2009, for the territory to be annexed to the Community Facilities District. No written protests against the annual levy of special taxes within the territory proposed to be annexed to the Community Facilities District to pay the cost of services and incidental expenses of the Community Facilities District were filed. Councilmember Gilbreath moved to adopt Resolution No. 6805, a resolution of the City Council of the City of

Redlands calling a special election on the questions of levying special taxes within the territory proposed to be annexed to Community Facilities District No. 2004-1. Motion seconded by Councilmember Gallagher and carried unanimously. Mayor Harrison declared the meeting closed as a public hearing.

LAND USE

On Texas Street - Redlands Commons, Applicant - Consideration of the following proposals was continued from December 2, 2008, and December 16, 2008, to this time and place:

Resolution No. 6799 - Certify an Environmental Impact Report and adopt a Statement of Facts, Finding and Over-Riding Considerations for General Plan Amendment No. 2009-1-A (GPA No. 117), Amendment No. 36 to Specific Plan No. 40, Concept Plan No. 7, Tentative Parcel Map No. 18550, Conditional Use Permit No. 907, Tentative Tract Map No. 18444, and Commission Review and Approval No. 851; public hearing to consider Resolution No. 6800 approving a Socio-Economic Analysis and Cost/Benefit Study for; General Plan Amendment No. 2009-1-A (GPA No. 117), Amendment No. 36 to Specific Plan No. 40, Concept Plan No. 7, Tentative Parcel Map No. 18550, Conditional Use Permit No. 907, Tentative Tract Map No. 18444; and Commission Review and Approval No. 851; Public hearings to consider: Resolution No. 6801 to approve the land use redesignation of lands designated "Urban Reserve" in the Redlands General Plan (as of June 1, 1987) or in active agricultural produced (as of November 3, 1986) to permit residential density greater than the Estate Residential (R-E) classification as the same existed as of June 1, 1987; Resolution No. 6790 to approve General Plan Amendment No. 2009-1-A (GPA No. 117) to amend the General Plan Land Use Designation from Commercial to Medium Density Residential (0 to 15 units per gross acre) for approximately 23 acres located on the south side of Pioneer Avenue, the west side of Texas Street and east of Tennessee Street in the EV/SD (Special Development) District of the East Valley Corridor Specific Plan (proposed change to Concept Plan No. 7); Resolution No. 6791 to approve Amendment No. 36 to Specific Plan No. 40 (East Valley Corridor Specific Plan); to establish the EV/RP 9 (Planned Residential 9) District to the East Valley Corridor Specific Plan and amend related sections pertaining to the establishment of the EV/RP 9 (Planned Residential 9) District; Resolution No. 6792 to approve Concept Plan No. 7; to establish a concept plan within the East Valley Corridor Specific Plan for approximately 72 acres located on the north side of San Bernardino Avenue, the south side of Pioneer Avenue, the west side of Texas Street and immediately east of the 210 Freeway; Resolution No. 6793 to approve Tentative Parcel Map No. 18550 to subdivide approximately 36 acres into ten (10) lots and one (1) remainder lot for property on the north side of San Bernardino Avenue, the south side of Pioneer Avenue, the west side of Texas Street, and east of Tennessee Street in the EV/SD (Special Development) District of the East Valley

Corridor Specific Plan (proposed change to Concept Plan No. 7); Resolution No. 6794 to approve Conditional Use Permit No. 907 for a 199-unit planned residential development on approximately 23 acres located on the south side of Pioneer Avenue, the west side of Texas Street and east of Tennessee Street in the EV/SD (Special Development) District of the East Valley Corridor Specific Plan (proposed change to EV/RP9 [Planned Residential 9] District within Concept Plan No. 7 of the East Valley Corridor Specific Plan); and Resolution No. 6797 to approve Tentative Tract Map No. 18444 to subdivide approximately 36 acres into 199 single family residential lots, five (5) common area lots, and one (1) remainder lot for property located on the south side of Pioneer Avenue, the west side of Texas Street and east of Tennessee Street in EV/SD (Special Development) District of the East Valley Corridor Specific Plan (proposed change to EV/RP9 (Planned Residential 9) District within Concept Plan No. 7 of the East Valley Corridor Specific Plan).

Project Manager Manuel Baeza reviewed the proposed project and introduced the consultant who prepared the Environmental Impact Report who reviewed the additional errata and supplemental responses to comments received from The Redlands Association. Mr. Baeza noted two conditions that needed to be added regarding landscaped "fingers" and the Mexican fan palms. On behalf of the applicant, Gretchen Sauer stated they were comfortable with the additions. On behalf of The Redlands Association, Bill Cunningham stated they did not agree with the consultant's findings and submitted a letter reiterating their concerns. On behalf of the North Redlands Visioning Committee, Mario Saucedo stated that those who lived in the area believed this proposal is the best fit and urged approval of the project. Yvonne Perez expressed concern about the commercial aspect of the project. Joe Gonzales thought this was a good project. Eddie Tejeda supported the project. Assistant Community Development Director Robert Dalquest responded to the comments in The Redlands Association letter.

Resolution No. 6799 - Councilmember Gilbreath moved to adopt Resolution No. 6799, a resolution of the City Council of the City of Redlands certifying the Final Environmental Impact Report for the Redlands Commons Project and adopting the findings of fact and statement of overriding considerations and Mitigation Monitoring and Reporting Program. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean voting NO.

Resolution No. 6800 - Councilmember Gilbreath moved to adopt Resolution No. 6800, a resolution of the City Council of the City of Redlands approving the Socio-Economic Cost Benefit Study for the Redlands Commons Project. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean voting NO.

Level of Service - Councilmember Gilbreath moved to approve a reduced LOS at the intersection of Alabama Street/Redlands Boulevard during the PM peak hours as permitted in General Plan Policy 5.20b. Motion seconded

by Councilmember Gallagher and carried with Councilmember Bean voting NO.

Level of Service - Councilmember Gilbreath moved to approve a reduced LOS at the intersection of California Street/Redlands Boulevard during the PM peak hours as permitted in General Plan Policy 5.20b. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean voting NO.

Resolution No. 6801 - Councilmember Gilbreath moved to adopt Resolution No. 6801, a resolution of the City Council of the City of Redlands approving the redesignation of lands designated "Urban Reserve" in the Redlands General Plan (as of June 1, 1987) and/or in active agricultural production (as of November 3, 1986) to permit a density greater than R-E (Residential Estate) District as the same that existed as of June 1, 1987. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean voting NO.

Resolution No. 6790 - Councilmember Gilbreath moved to adopt Resolution No. 6790, a resolution of the City Council of the City of Redlands approving General Plan Amendment No. 2009-1-A. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean voting NO.

Resolution No. 6791 - Councilmember Gilbreath moved to adopt Resolution No. 6791, a resolution of the City Council of the City of Redlands approving Amendment No. 36 to Specific Plan No. 40. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean voting NO.

Resolution No. 6792 - Councilmember Gilbreath moved to adopt Resolution No. 6792, a resolution of the City Council of the City of Redlands approving Concept Plan No. 7. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean voting NO.

Resolution No. 6793 - Councilmember Gilbreath moved to adopt Resolution No. 6793, a resolution of the City Council of the City of Redlands approving Minor Subdivision No. 314 (Tentative Parcel Map No. 18550), subject to the modifications to the proposed project contained in Additional Errata and Supplemental Response to Comments received on the EIR for the Redlands Commons/Trojan Groves Concept Plan No. 7: Landscaped "fingers" will be added to the landscaping in the commercial area along San Bernardino Avenue, which will eliminate nine parking spaces on the commercial portion of the development; and a new condition of approval: Prior to the installation of any Mexican fan palm (*Washingtonia robusta*) proposed in the Landscape Plan, the developer shall work with the City of Redlands to identify and acquire Mexican fan palms owned by the City that would be removed by the City pursuant to the City's efforts to remove such trees located under power lines. For such identified Mexican fan palm located under, interfering, or anticipated to interfere with overhead power lines, the developer, at its sole cost and expense, shall remove the tree and relocate to the Redlands Commons property pursuant to the Landscape Plan.

The developer shall provide the City with a replacement minimum 15-gallon tree listed on the City's approved tree list that is suitable to grow under power lines ("Replacement Tree"). Within 12 months of planting of the Replacement Tree, if the tree does not survive, the developer shall replace the Replacement Tree with another 15-gallon tree listed on the City's approved tree list. The City shall not charge the developer any fee to implement the provisions contained within this subsection. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean voting NO.

Resolution No. 6794 - Councilmember Gilbreath moved to adopt Resolution No. 6794, a resolution of the City Council of the City of Redlands approving Conditional Use Permit No. 7, subject to the same modifications noted in the motion adopting Resolution No. 6893. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean voting NO..

Resolution No. 6797 - Councilmember Gilbreath moved to adopt Resolution No. 6797, a resolution of the City Council of the City of Redlands approving Tentative Tract Map No. 18444, subject to the same modifications noted in the motion adopting Resolution No. 6893. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean voting NO.

PUBLIC COMMENTS

None forthcoming.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:20 P.M. The next regular meeting will be held on January 20, 2009.