

**MINUTES
REDEVELOPMENT AGENCY AND CITY COUNCIL
REGULAR MEETING
JULY 27, 2010 - 6:00 p.m.**

CALL TO ORDER

The regular meeting of the City Council and Redevelopment Agency of the City of Highland was called to order at 6:00 p.m. by Mayor Lilburn at the Donahue Council Chambers, 27215 Base Line, Highland, California.

The invocation was given by Pastor Robb Zinn of Immanuel Baptist Church and the Pledge of Allegiance was also led by Pastor Robb Zinn of Immanuel Baptist Church.

ROLL CALL

Present: Jones, McCallon, Timmer, Scott, Mayor Lilburn
Absent: None

REPORT FROM CLOSED SESSION

Took no reportable action at the end of closed session.

SPECIAL PRESENTATIONS

Mr. Carlos Vasquez gave a brief presentation regarding the Census 2010.

COMMUNITY INPUT

Mr. Milo Victoria, CEO of Omnitrans, stated he would like to introduce himself to City Council and give a brief re-introduction of Omnitrans organization and their services.

Mr. Thomas Coy stated the bible says in the Old Testament that there are three types of people to care for: orphans, widows and the immigrants.

Ms. Kathi Scarpace, Coordinator for the Justice for Immigrants Campaign for the Diocese of San Bernardino and a Coalition Member for Justice for Immigrants for the Inland Southern California area, stated she is here due to the recent vote by City Council to support the Arizona SB 1070 law. The Arizona law which this Council supports does not address the complex issues of immigration. It does not offer ideas about global anti-poverty efforts. The Arizona law does not address immigrant families as some are legal citizens which are often children. This law is designed to break apart families without consideration. She urges the Council to consider a future resolution asking Congress for humane immigration laws.

Mr. Frank Schulder stated he has resided in Highland since 2003 and he is present as well due to the resolution the City Council passed at the last meeting in support of the Arizona law. This disturbs him that the Council is excited to interject them in a controversial issue which does not do anything for the citizens of Highland. He regrets what the city did and what the Council voted on.

Ms. Katy Ahearn stated she believes the Council over-reached with their support of the Arizona law, SB 1070. This Council did not speak for her as she believes this law is immoral, mean spirited, and an illegal attempt to deal with a serious complex set of problems. She hopes in the future this Council does not resort to the uncivil discourse which has poisoned so much of our Nation's progress.

Father Brian Rogan stated he has good relations with this City Council and he takes care of St. John Bosco's Church. He is also authorized to speak on behalf of the Catholic Diocese of San Bernardino. This is a surprise to him that they are even dealing with a national issue at such a level. They do not in any way support and, in the opposite, they condemn this law which is constitutionally questionable. This is one more thing we do not need in our society which divides one person from other, one class of people from another.

CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

A MOTION was made by Mayor Pro Tem Jones, seconded by Councilman McCallon, to approve the consent calendar as submitted with the exception of Item #17 being pulled for further discussion. Motion carried on roll call vote, 5-0, with Councilwoman Scott dissenting on Item #8, Councilman McCallon abstaining from Item #2 and Item #3, and Mayor Lilburn abstaining from Item #4.

1. Waive the Reading of All Ordinances
Waived the reading of all Ordinances in their entirety and read by title only.
2. Minutes – July 13, 2010 City Council Regular Meeting
Approved the Minutes as submitted.
3. Minutes – July 13, 2010 RDA Regular Meeting
Approved the Minutes as submitted.
4. Warrant Register
Approved Warrant Register No. 508 for July 27, 2010, in the amount of \$978,364.13 and Payroll of \$84,606.89.
5. Treasurer's Report for June
Received and filed Treasurer's Report for June 2010.

6. Resolution No. 2010-021 Establishing the Annual Special Tax for Community Facilities District No. 90-1 for Fiscal Year 2010/2011
Adopted Resolution No. 2010-021 establishing the Annual Special Tax for Community Facilities District No. 90-1 for Fiscal Year 2010/2011 and file with the County Auditor-Controller Resolution No. 2010-021 with the tax roll.

RESOLUTION NO. 2010-021
A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HIGHLAND, CALIFORNIA, ESTABLISHING THE
ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES
DISTRICT NO. 90-1 FOR THE FISCAL YEAR 2010/2011

7. Resolution No. 2010-022 Establishing the Annual Special Tax for Community Facilities District No. 2001-1 for Fiscal Year 2010/2011
Adopted Resolution No. 2010-022 establishing the Annual Special Tax for Community Facilities District No. 2001-1 for Fiscal Year 2010/2011 and file with the County Auditor-Controller Resolution No. 2010-022 with the tax roll.

RESOLUTION NO. 2010-022
A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HIGHLAND, CALIFORNIA, ESTABLISHING THE
ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT
NO. 2001-01 FOR THE FISCAL YEAR 2010/2011

8. Sheriff's Department Schedule "A" Contract for Fiscal Year 2010-2011
Authorized the Mayor to execute the Schedule "A" contract for Law Enforcement Services with the San Bernardino County Sheriff's Department.
9. Semi-Annual Report of the Processing of Applications per the City Council's "Come Home to Highland" Program and Policies for the Period of January 1, 2010, to June 30, 2010
Received and filed the report.
10. Declaration of Three Seats Vacant on the Community Trails Committee (CTC)
1. Declared three seats vacant on the Community Trails Committee; and
2. Directed the City Clerk to advertise the vacancies on the Board.
11. Renewal of the Joint Sponsorship and Use of Facilities Agreement with the San Bernardino City Unified School District for the Use of Cypress and Thompson Elementary Schools, in Association with the After School Activity Program
1. Approved the agreement for Joint Sponsorship and Use of Facilities with the San Bernardino City Unified School District; and
2. Authorized the City Manager to execute the agreement.
12. Speed Zones on Base Line – Reedy Avenue to Church Street
Adopted Resolution No. 2010-023 establishing speed zones on Base Line from Reedy Avenue to Church Street.

RESOLUTION NO. 2010-023
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ESTABLISHING PRIMA FACIE SPEED LIMITS FOR BASE LINE
FROM REEDY AVENUE TO CHURCH STREET

13. Notice of Completion – Bid No. 2010-02, “Article 3 Sidewalk Grant Projects” (Project No. swk09002)
 1. Accepted Bid No. 2010-02 “Article 3 Sidewalk Grant Projects” as complete;
 2. Authorized the Mayor to sign the Notice of Completion; and
 3. Directed the City Clerk to file the Notice of Completion.

14. Notice of Completion – Bid No. 2009-26, “2008/09 and 2009/10 CDBG Street Improvement Project” (Project No. str09001)
 1. Accepted Bid No. 2009-26 “2008/09 and 2009/10 CDBG Street Improvement Project” as complete;
 2. Authorized the Mayor to sign the Notice of Completion; and
 3. Directed the City Clerk to file the Notice of Completion.

15. Easement Acceptance/9th Street Sidewalk Improvements (Project No. SWK08002)
 1. Accepted the Grant of Easement for Road & Drainage Purposes from Dib M. Saleh; and
 2. Directed the City Clerk to record the Grant of Easement.

16. Easement Acceptance/Lankershim Avenue Sidewalk Project (Project str09002)
 1. Accepted the Grant of Easement for Road & Drainage Purposes from Roberta H. Ferguson; and
 2. Directed the City Clerk to record the Grant of Easement.

18. Resolution No. 2010-025 Summary Vacation of Greenspot Road Right-of-Way (Jae Kim/DRB 007-025)
 1. Adopted Resolution No. 2010-025 ordering the summary vacation of a portion of street right-of-way located at the southwest corner of Greenspot Road and Church Street; and
 2. Directed the City Clerk to record the resolution.

RESOLUTION NO. 2010-025
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND
ORDERING THE SUMMARY VACATION OF A PORTION OF
THE GREENSPOT ROAD RIGHT-OF-WAY AT THE SOUTHWEST
CORNER OF GREENSPOT ROAD AND CHURCH STREET,
PURSUANT TO THE AUTHORITY PROVIDED BY
CHAPTER 4, PART 3, DIVISION 9, OF THE
STREETS AND HIGHWAYS CODE

- 19. Application of State-Local Partnership Program Competitive Grant
Adopted Resolution No. 2010-026 “Authorizing Application of State-Local Partnership Program Competitive Grant and Committing Local Match Funds for the Widening of 5th Street between Victoria Avenue and SR210 and Improvement of SR 210/5th Street Freeway Interchange Ramps.”

RESOLUTION NO. 2010-026
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF HIGHLAND, CALIFORNIA,
APPROVING APPLICATION FOR STATE-LOCAL PARTNERSHIP PROGRAM
(SLPP) COMPETITIVE GRANT AND COMMITTING LOCAL MATCHING
FUNDS FOR WIDENING OF 5TH STREET BETWEEN VICTORIA AVENUE
AND SR 210 AND IMPROVEMENT OF
SR 210/5TH STREET FREEWAY INTERCHANGE RAMPS

ITEMS PULLED FROM THE CONSENT CALENDAR

- 17. Resolution No. 2010-024 Summary Vacation of a City Alley (Troy Hodges/DRB 07-016)

Councilman Timmer asked if there is a project going in to facilitate the design of this project, we are going to vacate the alley as it is not needed. If the project never develops is there wording in the agreement stating the vacation will not go forward.

City Engineer Wong stated the project is under construction and grading has started.

A MOTION was made by Mayor Pro Tem Jones, seconded by Councilman Timmer, to adopt Resolution No. 2010-024 ordering the summary vacation of a City Alley located east of Palm Avenue, north of Fifth Street, and directed the City Clerk to record the resolution. Motion carried, 5-0.

RESOLUTION NO. 2010-024
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ORDERING THE SUMMARY VACATION OF PUBLIC
RIGHT-OF-WAY (CITY ALLEY) PURSUANT TO THE
AUTHORITY PROVIDED BY CHAPTER 4, PART 3, DIVISION 9, OF THE
STREETS AND HIGHWAYS CODE

CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARING

20. MCA-010-004- Highland Municipal Code Amendment Related to Title 6 Animals, Chapter 6.04, County Animal Control Regulations Adopted, Section 6.04.020 County Animal Control Regulations

Mayor Lilburn opened the public hearing.

Community Development Director Jaquess stated this item is before you to consider implementing a law that the County of San Bernardino just adopted at its last meeting at the Board of Supervisors dealing with the mandatory spaying of certain types of dogs, mainly Pit Bull dogs, which are spelled out in the ordinance. Mainly as a result of concerns over overpopulation but he would like to refer to Brian Cronin who is with the County Animal Control to just expand on this.

Mr. Brian Cronin stated the County of San Bernardino adopted a mandatory Pit Bull Spaying Ordinance at its July 13 meeting. The primary reason is the number of fatal dog attacks involving Pit Bull dogs. Over the last five years they have had a total of four human fatalities which have been attributed to Pit Bull and Pit Bull mixed breed dogs and they have had no other breed of dog that has contributed to a fatal human death. The County has recommended that the mandatory Pit Bull spay/neuter ordinance be considered in the City of Highland as a mechanism and method of controlling the pet over population of Pit Bulls in our community. Pit Bulls are the number one breed of dogs that are euthanized in county animal shelters. Approximately 77% of all Pit Bulls that enter the shelter are euthanized at taxpayers' expense and they are within the top three breeds of dogs that are admitted to the shelters. So, this ordinance is being presented for Council's consideration this evening to be consistent with the County's recently adopted provision and code.

City Manager Hughes stated there is a revised ordinance. He would like to ensure Council received the revised ordinance. The revised ordinance is based on comments made by the City Attorney.

Mayor Lilburn called for any speakers in favor or in opposition. Hearing none, the public hearing is now closed.

A MOTION was made by Mayor Pro Tem Jones, seconded by Councilwoman Scott, to adopt a California Environmental Quality Act Notice of Exemption and instruct staff to file a Notice of Exemption with the County Clerk of the Board, and to introduce Ordinance No. 353 to amend Title 6 Animals, Chapter 6.04, County Animal Control Regulations Adopted, Section 6.04.020 County animal control regulations as revised. Motion carried, 5-0.

City Clerk Hughes introduced Ordinance No. 353:

ORDINANCE NO. 353
AN ORDINANCE OF THE CITY OF HIGHLAND, CALIFORNIA AMENDING
6.04.020 COUNTY ANIMAL CONTROL REGULATIONS – ADOPTED, TITLE 6
(ANIMALS) OF THE HIGHLAND MUNICIPAL CODE. [MUNICIPAL CODE
AMENDMENT (MCA-010-004)]

which title was read.

21. Street and Drainage Maintenance District 96-1 Annual Report (Fiscal Year 2010-11)

Mayor Lilburn opened the public hearing.

City Engineer Wong stated this is the annual approval of the city's Street and Drainage Maintenance District. They have the approved engineer's report and the amount of assessment proposed in the report. The district is in good financial health and there is no proposed increase or any proposed city assistance.

Mayor Lilburn called for any speakers in favor or in opposition. Hearing none, the public hearing is now closed.

A MOTION was made by Councilman Timmer, seconded by Mayor Pro Tem Jones, to approve Resolution No. 2010-027 ordering the continued maintenance of improvements in the Street and Drainage Maintenance District No. 96-1, confirming the Engineer's Report and levying the assessment for Fiscal Year 2010-11. Motion carried, 5-0.

RESOLUTION NO. 2010-027
A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF HIGHLAND, CALIFORNIA, ORDERING
THE CONTINUED MAINTENANCE OF IMPROVEMENTS
IN THE STREET AND DRAINAGE MAINTENANCE DISTRICT NO. 96-1
AND CONFIRMING THE ENGINEER'S REPORT
AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2010-11

22. Consolidated Landscape and Lighting District 96-1 Annual Report (Fiscal Year 2010-11)

Mayor Lilburn opened the public hearing.

City Engineer Wong stated this is the annual approval of the city's Consolidated Landscape and Lighting District. The district includes four different types of maintenance. It includes street lighting, landscape district, city parks and city trails. He would like to draw Council's attention to the street lighting budget

which has a sizeable deficit. Actually, this started immediately past the fiscal year 2009/2010 and has continued to proceed into this fiscal year. By the end of this fiscal year there will be a negative balance of \$390,000 for this particular district. City staff, Edison and the Public Works Subcommittee has had some discussion about potential solutions to this particular problem. In addition, the landscaping district has 9 out of the 33 zones that will have a negative fund balance. The city will loan to these 9 zones for a total of \$77,000 for the coming fiscal year. There is no financial problem on the trail district and none on the park district.

Mayor Pro Tem Jones asked does this mean we are subsidizing the Street Lighting District from some other source.

City Engineer Wong stated for this current fiscal year it is anticipated that the city will need to come up with an additional \$390,000 in order to keep the same amount of lighting in place. Money at this time is coming out from the gasoline tax but it is a long term problem that needs to be addressed very soon.

City Manager Hughes stated we have been working with Edison on trying to look at LED street light program. This process has been a littler slower than what we would like and we are still not convinced that's going to reduce the cost because the way Edison structures its fees.

Mayor Pro Tem Jones asked do we have any other proposals to reduce or change to reduce energy.

City Engineer Wong stated basically two main alternatives to solve the budget problem. One is to raise revenue. The city has not changed its current assessments for the past 17 or 18 years. Edison charges have caught up with us. The other way is to change it to the more energy efficient lights such as LED lights. It has up front costs. You have to spend money to fumigate change and then gradually you try to recoup your expense and more. Thirdly, which is a drastic change, is to reduce the number of lights on the streets. We can turn off some of the lights. The county used to light up just the intersections and not along the streets. We are still in the process of looking for other solutions.

Councilman Timmer stated the Public Works Subcommittee has anticipated this shortfall occurring because of the cost of energy going up faster than obviously the revenue. This is an issue you just don't raise. We have to go back to a vote of the people because it's under Prop 218 and we felt at that time because of the current economic conditions this wouldn't be advisable to do that. We also felt that street lighting is very important to public safety. We decided to run the deficit with the understanding that at some future point we are anticipating Edison will have their lights approved by the PUC. At some point in the future, we are going to have to look at some additional revenue source or subsidize from the general fund like we would for the next year or two.

Mayor Lilburn called for any speaker in favor or in opposition. Hearing none, the public hearing is now closed.

A MOTION was made by Councilman Timmer, seconded by Councilwoman Scott, to approve Resolution No. 2010-028 ordering the continued maintenance of improvements in the Consolidated Landscape and Lighting District No. 96-, confirming the Engineer's Report and levying the assessment for Fiscal Year 2010-11. Motion carried, 5-0.

RESOLUTION NO. 2010-028
A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HIGHLAND, CALIFORNIA, ORDERING THE
CONTINUED MAINTENANCE OF IMPROVEMENTS IN
THE CONSOLIDATED LANDSCAPE AND LIGHTING DISTRICT NO. 96-1
AND CONFIRMING THE ENGINEER'S REPORT AND
LEVYING THE ASSESSMENT FOR FISCAL YEAR 2010-11

CITY COUNCIL/REDEVELOPMENT AGENCY LEGISLATIVE

23. Second Reading of Ordinance No. 350 "Water Efficient Landscape Requirements" (MCA-010-002)

Community Development Director Jaquess gave a brief review of the staff report.

City Clerk Hughes stated the ordinance in the agenda is set for Mayor Pro Tem Jones' signature but the original has the correct signature line for Mayor Lilburn as Mayor Lilburn was absent from the prior meeting.

A MOTION was made by Councilman McCallon, seconded by Mayor Pro Tem Jones, to conduct a second reading of Ordinance No. 350, amend Title 16, Land Use and Development Code, amending Chapter 16.40, Section 16.40.390 "Water Efficient Landscape Requirements" of the Highland Municipal Code. Motion carried, 3-2, with Councilwoman Scott and Councilman Timmer dissenting.

City Clerk Hughes introduced Ordinance No. 350:

ORDINANCE NO. 350
AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF HIGHLAND, CALIFORNIA, AMENDING 16.40.390
WATER EFFICIENT LANDSCAPE REQUIREMENTS OF TITLE 16
(LAND USE AND DEVELOPMENT) OF THE HIGHLAND MUNICIPAL
CODE. [MUNICIPAL CODE AMENDMENT (MCA-010-002)]

which title was read.

24. Second Reading of Ordinance No. 351, MCA 009-006, to Amend City of Highland Municipal Code Section 16.32.070M to Reduce the Maximum Time Limit Permitted to Complete a Certificate of Appropriateness

A MOTION was made by Councilman Timmer, seconded by Councilman McCallon, to conduct a second reading of Ordinance No. 351, amending Title 16, Land Use and Development Code, Chapter 16.32 “Certificate of Appropriateness (permits),” Section 16.32.070M of the Highland Municipal Code. Motion carried, 5-0.

City Clerk Hughes introduced Ordinance No. 351:

ORDINANCE NO. 351
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, AMENDING THE CITY’S LAND USE AND DEVELOPMENT CODE,
TITLE 16, SECTION 16.32.070.M, REDUCING THE TIME LIMIT TO COMPLETE
WORK APPROVED UNDER A CERTIFICATE OF APPROPRIATENESS
(MCA 009-006)

which title was read.

25. Second Reading of Ordinance No. 352, MCA-010-003 – Highland Municipal Code Amendment Related to Hours of Operation in the Industrial Zoning District

A MOTION was made by Councilman McCallon, seconded by Councilman Timmer, to conduct a second reading of Ordinance No. 352, amending Title 8, Chapter 8.50, Section 8.50.050 “Controlled Hours of Operation” of the Highland Municipal Code. Motion carried, 5-0.

City Clerk Hughes introduced Ordinance No. 352:

ORDINANCE NO. 352
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, AMENDING SECTION 8.50.050 (CONTROLLED HOURS OF
OPERATION) OF THE HIGHLAND MUNICIPAL CODE RELATING TO
HOURS OF OPERATION IN THE INDUSTRIAL ZONE

which title was read.

26. Annual Review of the City General Plan Implementation in Accordance with Government Code Section 65400 and 65588

Community Development Jaquess gave a brief review of the staff report.

A MOTION was made by Mayor Pro Tem Jones, seconded by Councilman McCallon, to receive and file the subject General Plan Implementation Annual Report. Motion carried, 5-0.

27. San Bernardino County Sheriff's Department Moving from 4/10 Hour Per Day Schedule to a 3/12 Hour Per Day Schedule for Patrol Positions

City Manger Hughes gave a brief review of the staff report.

City Council received and filed this report.

28. Request for City Advance Payment of Greenspot Traffic Signals Cost Assigned to Future Development

City Engineer Wong gave a brief review of the staff report.

Councilman Timmer stated historically it is not done this way. Also, when the redevelopment funds were allocated for the infrastructure and the traffic signals were included to be reimbursed if there were monies left over. It was never his vision we would be reimbursing for activities due to the fact they build first.

Mayor Pro Tem Jones stated the original agreement was the understanding everyone was going to be moving forward at the same time. We understood at that time the Mission Group would be lagging behind on the southern half. He does not think Council can expect TREH Developers to finance improvements to the City which are not moving forward as they were originally projected to do. It would be his proposal to reimburse them and then the City could turn around and charge others who would be responsible for those improvements which would be conditioned on their project as it was on TREH's project. TREH is not a bank and they are not in a position to be funding and carrying the paper for City improvements which they were not responsible for.

Councilman McCallon inquired if we agree to the reimbursement, would the money come out of the bond funds.

City Manager Hughes stated it would be his recommendation the money would come from the redevelopment bond funds.

Councilman McCallon stated this would have no impact on the priorities of undergrounding.

City Manager Hughes stated the undergrounding and the storm drain are the top two priorities. These projects are moving forward and the next priority would be the street improvements.

Councilwoman Scott stated her first thought is no way as this would be subsidizing somebody and then upon reading the background, the installation of the traffic signal was not even required of that project. It was going to be required of the project to the south.

Councilman Timmer stated this developer chose to move forward which is required to have these traffic signals in. His fear is if we authorize this reimbursement once developers find out the City has already paid for these, we will never get the money.

Councilwoman Scott stated it would have to be a condition. The City would have to be reimbursed because every developer has to be pay for the signals and the street widening. Will this be a problem if the City makes the reimbursement and then with any future development reimbursing the City?

City Attorney Steele stated not if it is a condition of approval. The amount would have to be determined by a project by project basis, based on impact. It would not be a legal problem but it may be a practical problem to determine the amount each developer reimburses the City.

Mayor Pro Tem Jones stated they are not asking for reimbursement for the signals on the south side of the street. They are asking for reimbursement for the signal on the north side of the street.

City Engineer Wong stated he would like to make certain how this signal situation will be handled in the future. These two new traffic signals were installed at the entrance of a new development. Therefore, if we do not have any development, we will not need these two traffic signals. The City can fully justify requiring the two signals be fully paid for by redevelopment. The City can actually require the first development that needs the signal to pay 100% of it because they need the signal. The Council has already agreed to condition future development at the adjacent property to pay a share of the two new signals. From a staff standpoint, how will we handle future signal situations?

City Manager Hughes stated the difference on this project is we do have the redevelopment bonds and traffic signals were part of the priority list from the City Council. From his perspective he feels comfortable with this but if the Council does choose to do the reimbursement to please consider using the redevelopment funds. Also the dollar amount being requested, he would like to ask the Council to make a recommendation that the amount be reviewed and approved by staff.

Councilwoman Scott stated she would like to have the final figure brought back to the City Council so we would know exactly what was paid.

City Engineer Wong stated normal practice is to authorize staff to work out the numbers and agree upon an amount as long as it is not more than what is requested.

Mr. Glenn Elsmann stated he would like to understand the parameters of what is being discussed. If they are asking for \$380,000 for reimbursement, this is more than half of the cost of the signals in which the City is asking the north side to be encumbered with.

City Engineer Wong stated there are two signals. One signal is at the east entrance and then the other one in the middle of the shopping center. The east entrance will be split three ways, not equally, but it will be split three ways. Regency has part, TREH has a part and Mission Development has a part. The west signal would be split between TREH and the County Flood Control District's property.

Mr. Glenn Elsmen stated the \$387,000 is taken into account the contribution for Regency and TREH. It appears if there was a half a million dollars of signals, the north side is taking 2/3 of the costs and he does not recall the backup studies to suggest they have 2/3 of the obligation.

Mayor Pro Tem Jones stated it is actually \$355,000.

City Engineer Wong stated these figures need to be verified by staff and of course the parties who will be affected by this, Mission Development and Flood Control, will have an opportunity to review the data.

A MOTION was made by Mayor Pro Tem Jones, seconded by Councilwoman Scott, to approve the current request to make advance payment to TREH with city funds ahead of future development on the north side of Greenspot Road and require developers to reimburse the city the same amount at time of future development and reimbursement shall not exceed the amount of \$355,944.91 and monies shall be used from Redevelopment Bonds or if there is a significant change in the percentage this item will be brought back to City Council. Motion carried, 4-1, with Councilman Timmer dissenting.

29. Award of a Professional Services Contract to Hogle-Ireland to Assist the City with the Preparation of a "Parks and Recreation Master Plan"

City Manager Hughes stated he would like to request this item be pulled and bring it back to the Community Services/Recreation Subcommittee to review.

30. Proposed Changes to Management of Capital Improvement Program

City Engineer Wong gave a brief review of the staff report.

City Manager Hughes stated item #6 on page 2 would be moving up the construction of the proposed Fire Station next to City Hall. Staff is recommending we take the savings from the Police Station construction and use these funds towards the Fire Station construction.

Councilwoman Scott stated the construction of the Fire Station at the prior location of the post office and library has never been brought before Council for a vote. It needs to be brought before the Council.

City Manager Hughes stated it has been brought before the Council. You can vote on it now as it is on the agenda.

Councilman Timmer stated it has been discussed several times prior.

Councilwoman Scott stated it has been discussed but never brought before the Council with a staff report.

City Manager Hughes stated it was when we purchased the property. There was a staff report and it listed the use of purchasing the property as the fire station. He will forward a copy of the staff report to Councilwoman Scott.

Mayor Pro Tem Jones stated he would like to commend staff and the Public Works Subcommittee for the positive movement they have made in these projects.

Councilwoman Scott asked does this approval include everything on this list and if so, on page 8 under miscellaneous improvements, Base Line Medians are listed and, again, she is going to vote no.

A MOTION was made by Mayor Pro Tem Jones, seconded by Councilman McCallon, to approve changes to enhance program management and timely project delivery as listed in the staff report. Motion carried, 4-1, with Councilwoman Scott dissenting.

31. Designation of Voting Delegate and Alternate for the League of California Cities Annual Conference

City Clerk Hughes gave a brief review of the staff report.

Mayor Lilburn appointed Mayor Pro Tem Jones as the Voting Delegate and Councilman McCallon as the alternate.

A MOTION was made by Councilman McCallon, seconded by Councilman Timmer, to appoint Mayor Pro Tem Jones as the Voting Delegate and Councilman McCallon as the alternate for the annual conference to be held September 15-17, 2010, in San Diego. Motion carried, 5-0.

32. Update on SANBAG, SCAG, Omnitrans, Work Program and Regional/Legislative Issues/Development Issues/Subcommittees/AB 1234 Updates

City Manager Hughes stated the League of California Cities is requesting support for the opposition of two bills, Proposition 19 and Proposition 26.

A MOTION was made by Mayor Pro Tem Jones, seconded by Councilman McCallon, to send resolutions in opposition of Proposition 19 and Proposition 26. Motion carried, 5-0.

33. San Bernardino International Airport Authority and IVDA

None

ANNOUNCEMENTS

August 3, 2010	National Night Out
August 10, 2010	No Council Meeting
August 24, 2010	No Council Meeting

ADJOURN

There being no further business, Mayor Lilburn adjourned the meeting at 7:18 p.m.

Submitted by:

Approved by:

Betty Hughes, CMC
City Clerk

Penny Lilburn
Mayor