

**MINUTES
REDEVELOPMENT AGENCY AND CITY COUNCIL
REGULAR MEETING
OCTOBER 12, 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 Mark Rush of Immanuel Baptist Church and the Pledge of Allegiance was led by Jim Nonnemacher of the American Legion Hall, Post #421, in Highland.

ROLL CALL

Present: Jones, Scott, Mayor Lilburn
Absent: McCallon, Timmer

REPORT FROM CLOSED SESSION

No closed session.

SPECIAL PRESENTATIONS

Mr. Craig Huff, President of the Board of Directors with the Highland Area Chamber of Commerce, gave the semi-annual report.

COMMUNITY INPUT

Mr. Joe Olague, President of The League of United Latin American Citizens, stated that the members of the Highland City Council who signed the letter to President Obama violated its Code of Ethics and should be sanctioned.

Mr. Leroy Martinez, Vice President of The League of United Latin American Citizens, stated that the City of Highland adopted a resolution representing all of its residents as supporters of the Arizona's law. Mr. Martinez then requested the Council abolish its Code of Ethics because it is unenforceable, retract the resolution, and amend it to reflect that the resolution reflects only the Mayor and the Council's opinion.

Mayor Lilburn stated that there is no resolution that is being referred to.

Ms. Jannette Cary thanked the Council for taking a stand in support of the Governor of Arizona.

Mr. George Oehling applauded the Council for their support of enforcing the law.

Ms. Cheryl Lapham, a city representative for the Republican Party and a volunteer for the Tim Donnelly Campaign, Nominee for the 59th Assembly, stated that the people of Highland are being represented and is supportive of Arizona's 1070 law.

Mr. Raymond Herrera, Founder and President of We the People California's Crusader, thanked the Council for supporting Senator Russell Pearce and Governor Jan Brewer of Arizona. Mr. Herrera stands with the Mayor and City Council in their actions.

Ms. Robin Huidston with We the People California's Crusader, thanked the Council for their support of the Arizona law and enforcing those laws.

Ms. Lydia Rivera, a member of The League of United Latin American Citizens, stated that the people's voice was not heard in the decision to write the letter of support for Arizona's law. She also stated her disappointment in the "love it or leave it" thought and expression used by the audience and City Council because it is a divisive way to draw people to an understanding and consensus of issues and common thoughts. She encourages the democratic process, Brown Acts stipulations, and common sense when making decisions.

Ms. Violet Laber stated she was appalled that the City Council divided the community by supporting Arizona's law. Over fifty percent of the community is Hispanic and they may find their voice over such issues. Arizona has their laws while the City of Highland should only be concerned with their own laws. She is requesting that Council reconsider their actions and look at what they have done, dividing the community.

Ms. Paulina Schiaretti, a member of The League of United Latin American Citizens, stated that immigration laws are the federal governments right to change, not the city's. She hopes the city will not continue to support a law that has nothing to do with California. When the laws come from the federal government to local government, then it will be an issue to discuss. Until then, racism is the saddest thing she has seen.

Ms. Jean Stephens thanked the Council and stated how proud she was of them. Spending over \$30 million a month on undocumented children is not acceptable. Counties and cities could get more service from that money.

Mr. Virgil Cowen has lost his culture to immigration and supports the Council in their support of Arizona's law. The issue is not about race but about the laws of this country.

Mr. John Rozzi stated his support for the Council.

CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

A MOTION was made by Mayor Pro Tem Jones, seconded by Councilwoman Scott, to approve the consent calendar as submitted with the exception of Item #2 being pulled for further discussion. Motion carried on a roll call vote, 3-0, with Mayor Lilburn abstaining from Item #6, and with Councilman McCallon and Councilman Timmer absent.

1. Waive the Reading of All Ordinances
Waived the reading of all Ordinances in their entirety and read by title only.
2. Minutes – September 14, 2010 City Council Regular Meeting
Approved the Minutes as submitted.
3. Minutes – September 14, 2010 RDA Regular Meeting
Approved the Minutes as submitted.
4. Minutes – September 28, 2010 City Council Regular Meeting
Approved the Minutes as submitted.
5. Minutes – September 28, 2010 RDA Regular Meeting
Approved the Minutes as submitted.
6. Warrant Register
Approved Warrant Register No. 511 for October 12, 2010, in the amount of \$1,013,640.45 and Payroll of \$80,088.54.
7. Declaration of Two (2) Seats Vacant on the Historic and Cultural Preservation Board (HCPB)
 1. Declared two (2) seats vacant on the Historic and Cultural Preservation Board; and
 2. Directed the City Clerk to advertise the vacancy on the Board.
8. Easement Acceptance/Lankershim Avenue Sidewalk Project
 1. Accepted the Grants of Easement for Road and Drainage Purposes from the property owners listed in the staff report; and
 2. Directed the City Clerk to record the Grants of Easement.
9. Easement Acceptance/ARCO Gas Station at 27323 5th Street (CUP 0008-006)
 1. Accepted the Grants of Easement for Road and Drainage Purposes, and Landscaping Purposes from Crossroad Petroleum, Inc., and
 2. Directed the City Clerk to record the Grants of Easement.

ITEMS PULLED FROM THE CONSENT CALENDAR

Minutes – September 14, 2010 City Council Regular Meeting

Councilwoman Scott stated that on page 9, where it discusses the YMCA providing city staff with monthly financial statements, she also requested a copy because she is a member of the Community Services and Recreation Committee. Per her request, this statement should be included in the minutes.

A MOTION was made by Councilwoman Scott, seconded by Mayor Pro Tem Jones, to approve the minutes as amended. Motion carried, 3-0, with Councilman McCallon and Councilman Timmer absent.

CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARING

No public hearing.

CITY COUNCIL/REDEVELOPMENT AGENCY LEGISLATIVE

10. Ordinance No. 354 Establishing a Fee and Service Charge Revenue/Cost Comparison System and Resolution No. 2010-037 Establishing a Schedule of Fees and Charges for City Services

Director of Administrative Services Dantuono gave a brief review of the staff report.

A MOTION was made by Mayor Pro Tem Jones, seconded by Councilwoman Scott, to adopt Ordinance No. 354 establishing a fee and service charge revenue/cost comparison system and adopt Resolution No. 2010-037 establishing a schedule of fees and charges for City charges. Motion carried, 3-0.

City Clerk Hughes introduced Ordinance No. 354:

ORDINANCE NO. 354
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, AMENDING CHAPTER 2.36 ("FEES AND SERVICE
CHARGES") OF THE HIGHLAND MUNICIPAL CODE TO PROVIDE
ADDITIONAL CATEGORIES OF FEES AND CHARGES, AND TO
UPDATE AND AMEND OTHER PROVISIONS AS APPROPRIATE

which title was read.

RESOLUTION NO. 2010-037
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ESTABLISHING A REVISED SCHEDULE OF FEES AND CHARGES
FOR CITY SERVICES

11. SCAG Compass Blueprint “Demonstration Project Proposal” 2010-2011 FY Application

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

Councilwoman Scott inquired if the Land Use for the Base Line corridor was going to include medians.

Community Development Director Jaquess stated that the median was a discussion of General Plan Policy and should be discussed separately. He also stated that bus rapid transit shows busses going down the center of the street so the bus rapid transit corridor might take the place of what used to be a median.

Mayor Lilburn inquired if that was on Base Line.

Community Development Director Jaquess answered that it was not specific to Base Line. It is part of the planning to know how it is going to work in that particular area.

Mayor Lilburn inquired if it was about Omnitrans, SBX, or BRT.

Community Development Director Jaquess answered that it was SBX bus system. From SANBAG’s perspective, they want to run a SBX type route from Highland to Montclair. This corridor would follow along part of that route.

A MOTION was made by Mayor Pro Tem Jones, seconded by Mayor Lilburn, to adopt Resolution No. 2010-038 authorizing the City Manager to submit a SCAG Compass Blueprint Demonstration Project Proposal entitled “Base Line Corridor VMT to BRT – a Vision for Sustainability”, a comprehensive study of the Base Line Corridor from Victoria Avenue (on the west) to City Creek (on the east), with a focus on the Town Center Policy Area, and consideration of the 2008 Compass Project “Compass Blueprint Implementation Project – City of Highland.” Motion carried, 2-1, with Councilwoman Scott dissenting, and with Councilman McCallon and Councilman Timmer absent.

RESOLUTION NO. 2010-038
A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HIGHLAND, CALIFORNIA, APPROVING THE
SUBMITTAL OF A SCAG COMPASS BLUEPRINT
DEMONSTRATION PROJECT APPLICATION PROPOSAL
ENTITLED “BASE LINE CORRIDOR VMT TO BRT – A
VISION FOR SUSTAINABILITY”

12. City Advance Payment to TREH for Greenspot Road Traffic Signals Cost Assigned to Future Developments

City Manager Hughes gave a brief review of the staff report and requested the Council's direction.

Mr. Ed Horovitz, representing TREH Partners X, LLC, discussed the differences in the project affecting the original price request and the new price request. He also stated TREH has their plans to review and if TREH's approval goes to In-N-Out, TREH anticipates In-N-Out going into City Hall for plan check next Thursday.

A MOTION was made by Mayor Pro Tem Jones, seconded by Councilwoman Scott, to accept Option 2, approving advance payment to TREH for two new traffic signals on Greenspot including striping assigned to future developments in the amount of \$373,398.79, independent from In-N-Out. Motion carried, 3-0.

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

Mayor Lilburn stated she attended the SANBAG meeting on behalf of Councilman McCallon. No pending issues. Regarding Omnitrans, they finished Labor negotiations and offered the last best and final offers on the labor unions.

City Manager Hughes wished to update the Council on the CDBG Program and its changes.

Economic Development Specialist Stater stated that the county administers this program on the city's behalf along with other cities. The county wants to streamline their admin costs, reduce costs, and become more efficient. Highland's projects, such as Little League, the Library, YMCA, and Senior Center, will now have to pay higher amounts for Public Service Applications, effective October 19. The city has notified the applicants on the price increases. Applications through the program will be available October 20 and the applicants will be required to attend a mandatory meeting on November 4.

Regarding construction, it will be increased to \$75,000. The county realizes the price increase will limit the number of CBO that can be funded. The city has a maximum of twenty percent that can be used for public service, which is normally about \$70,000. The county states that they would not take any public service money for itself and would allow the money to be used throughout the county and

they will give the city \$105,000 to fund three public services. Because they will not increase the total CDBG funding, whatever public service takes will have to come out of construction. Economic Development Specialist Stater goes on to explain that as far as getting any kind of increase in funds, there is going to be a three percent decrease countywide. However, the city signs on in three-year increments which is coming up in 2012. They did indicate that Highland would be receiving a larger portion of CDBG funding but there are no specifics until negotiations in February.

Councilwoman Scott inquired if the city could have its own Public Service Department to run on our own.

City Manager Hughes stated that having the city run the Public Services Department is an option when our agreement terminates in a year. In February, the City will begin to renegotiate to get a better deal or make the decision to take it over as a city.

Mayor Lilburn states that from previous discussions, it has been concluded that it would cost more to administer to the programs than the county.

City Manager Hughes stated that now is the time to reevaluate the situation and determine if the City should take over the responsibilities. Those responsibilities could possibly include hiring more staff and is a complex and time consuming project.

14. San Bernardino International Airport Authority and IVDA

Mayor Pro Tem Jones stated the meeting was canceled and the next meeting will be held on October 27.

ANNOUNCEMENTS

November 5, 2010

Volunteer Dinner

CLOSED SESSION

No closed session.

ADJOURN

There being no further business, Mayor Lilburn adjourned the meeting at 7:08 p.m. in memory of Tino Bernal.

Submitted by:

Approved by:

Betty Hughes, CMC
City Clerk

Penny Lilburn
Mayor