

**MINUTES
REDEVELOPMENT AGENCY AND CITY COUNCIL
REGULAR MEETING
NOVEMBER 9, 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 Rob Zinn of Immanuel Baptist Church and the Pledge of Allegiance was led also by Pastor Rob Zinn.

ROLL CALL

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

REPORT FROM CLOSED SESSION

No closed session held.

SPECIAL PRESENTATIONS

None

COMMUNITY INPUT

None

CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

A MOTION was made by Councilman McCallon, seconded by Mayor Pro Tem Jones, to approve the consent calendar as submitted with the exception of Mayor Lilburn abstaining from Item #4. Motion carried on a roll call vote, 4-0, with Mayor Lilburn abstaining on Item #4 and Councilman Timmer being absent.

1. Waive the Reading of All Ordinances
Waived the reading of all Ordinances in their entirety and read by title only.
2. Minutes – October 26, 2010 City Council Regular Meeting
Approved Minutes as submitted.
3. Minutes – October 26, 2010 RDA Regular Meeting
Approved Minutes as submitted.

4. Warrant Register
Approved Warrant Register No. 512 for November 9, 2010, in the amount of \$309,495.90 and Payroll of \$79,148.53.
5. Easement Acceptance/Olive Street Sidewalk Project (Project str09003)
 1. Accepted the Grant of Easement for Road and Drainage Purposes from Simon Vasquez; and
 2. Directed the City Clerk to record the Grant of Easement.
6. State COPS Grant FY 2010/2011 Allocation
Continue to allocate its funding under the annual State COPS grant for the hiring of a Sergeant position under the contract with the San Bernardino County Sheriff's Department.

CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARING

No public hearing.

CITY COUNCIL/REDEVELOPMENT AGENCY LEGISLATIVE

7. Extension of Tow Agreement Contracts

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

A MOTION was made by Councilman McCallon, seconded by Mayor Pro Tem Jones, to approve a one year contract extension to December 31, 2011, for tow contracts with Pepe's Towing, Inc., Armada Transport, Inc., A&G Towing, Wilson Towing, and L&L Towing. Motion carried, 4-0, with Councilman Timmer being absent.

8. Elimination of the City's "Protesting" Process for California Department of Alcohol and Beverage Control (ABC) License Applications

Community Development Director Jaquess gave a brief review of the staff report. Staff had been following a practice which was initiated in 1995 to protest all ABC licenses and withdraw the protest at such time for a new license or expanded license, a conditional use permit was issued. This was never adopted by the City Council as a policy, therefore, once this was realized staff ceased this process. We are continuing to follow the procedure which basically ABC has set forth. They have a format which is called a Zoning Affidavit in which the applicants have to present to the City or the County for consideration. The question: Is it a permitted use by zone or is it a permitted use subject to a conditional use permit? It has worked in the past with ABC and other jurisdictions. Staff is bringing this item to the Council stating we are instituting the procedure that we are instituting today.

Mayor Pro Tem Jones stated he understands this and we need to do that but as far as the protest that was something that was concocted somewhere back in history and never a Council policy. To eliminate something that legally was never talked about or voted upon is really not needed.

Community Development Director Jaquess stated he is not aware of any formal action needed for this. Staff was doing this for the purpose of presentation to clarify what had transpired at this point and time but no official action is needed to terminate the policy.

Councilwoman Scott stated she understands why this item was brought forward and it was because someone wanted to change the hours in which their store was open for operation. She can see where we should not have done what we did and delay the process. However, this is not going to keep our vigilance down if a store wants to increase the liquor from beer/wine to hard alcohol.

A MOTION was made by Mayor Pro Tem Jones, seconded by Councilwoman Scott, to approve the following ABC License procedures, effective immediately:

1. Cease the practice of "protesting" all new ABC Licenses or Upgrades; and
2. Upon notification by ABC of an impending license, the City Planner shall respond in writing within the time frame provided by ABC informing them of the City's Land Use Entitlement process (i.e. Conditional Use Permit approval required). Should the Application personally present a "Zoning Affidavit" Form from ABC, the City Planner shall complete the Affidavit Form to indicate the City's required Land Use Entitlement process. Once the Planning Commission takes formal action on any ABC Entitlement, the City Planner shall remit a copy of the Planning Commission's Conditional Use Permit determination to the local office of ABC. Motion carried, 4-0, with Councilman Timmer being absent.

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

Councilman McCallon stated as a result of the recent elections SANBAG Board and SCAG Regional Council have lost a few members. Update emails have also been sent out to Council regarding other topic updates. He and Community Development Director Jaquess attended the Orange County Board of Supervisors meeting.

Mr. Pat Loy, Lewis Operating Corp, stated they were pleased with the results of the Orange County Board of Supervisors meeting. They are also looking forward to working with the City of Highland on this development of the property with Orange County.

10. San Bernardino International Airport Authority and IVDA

None

ANNOUNCEMENTS

November 23, 2010

City Council Meeting – Canceled

Mayor Lilburn stated the Volunteer Recognition dinner was a success.

CLOSED SESSION

None

ADJOURN

There being no further business, Mayor Lilburn adjourned the meeting at 6:17 pm.

Submitted by:

Approved by:

Betty Hughes, CMC
City Clerk

Penny Lilburn
Mayor