

**MINUTES
CITY COUNCIL AND REDEVELOPMENT AGENCY
REGULAR MEETING
JANUARY 11, 2011 - 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 McCallon at the Donahue Council Chambers, 27215 Base Line, Highland, California.

The invocation was given by Pastor Tracy Johnson, Immanuel Baptist Church and the Pledge of Allegiance was led by Mayor Pro Tem Lilburn.

ROLL CALL

Present: Lilburn, McCallon, Racadio, Scott
Absent: Timmer

REPORT FROM CLOSED SESSION

Took no reportable action at the end of closed session.

SPECIAL PRESENTATIONS

Mayor McCallon recognized Mayor Pro Tem Lilburn for her service as Mayor from 2007 to 2010.

Mayor McCallon presented Tom Owens with a Proclamation for his service to the City of Highland on the Historic and Cultural Preservation Board.

COMMUNITY INPUT

Mr. Art Wilkerson stated he would like to thank the City of Highland for all the help he received during the flooding incident. Staff has been there, sometimes 24 hours a day. They have had community service people coming to help out but the problem is they helped us out but we have major damage inside the house. He had heard FEMA was here but he never heard anything further. He does not know where else he can go to try to get some help to get his house back into shape.

City Manager Hughes stated the FEMA response team was in the area last week. According to the meeting with FEMA, they stated it would take up to two weeks for them to make a determination and make a recommendation to the President of the United States. Technically FEMA has up to thirty days from the date the State of California made the request to the federal government but FEMA is hoping to do it within the two week time frame.

CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

A MOTION was made by Councilman Racadio, seconded by Councilwoman Scott, to add an item #26 to the Agenda regarding the Governor's Proposal on Redevelopment Agencies. Motion carried, 4-0, with Councilman Timmer being absent.

A MOTION was made by Councilman Racadio, seconded by Councilwoman Scott, to approve the consent calendar as submitted with the exception of Item #13 and Item #14 being pulled for further discussion. Motion carried on a roll call vote, 4-0, with Councilman Timmer being absent and Mayor Pro Tem 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 – December 14, 2010 City Council Regular Meeting
Approved Minutes as submitted.
3. Minutes – December 14, 2010 RDA Regular Meeting
Approved Minutes as submitted.
4. Warrant Register
Approved Warrant Register No. 513 for January 11, 2011, in the amount of \$2,349,532.31 and Payroll of \$145,374.48.
5. Treasurer's Report for November
Received and filed the Treasurer's Report for November 2010.
6. Staff Agency Appointment – PARSAC
Adopted Resolution No. 2011-001 appointing Sam J. Racadio, Council Member, as the City's Director to the Board of Directors of PARSAC, and Chuck Dantuono, Director of Administrative Services/City Treasurer, as the Alternate Director.

RESOLUTION NO. 2011-001
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, CONFIRMING THE APPOINTMENT OF THE DIRECTOR
AND ALTERNATE DIRECTOR TO THE PARSAC BOARD OF DIRECTORS
(RESCINDING RESOLUTION NO. 2008-015)

7. San Bernardino International Airport Authority Representatives
Adopted Resolution No. 2011-002 appointing representatives to serve on the San Bernardino International Airport Authority.

RESOLUTION NO. 2011-002
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, APPOINTING CERTAIN REPRESENTATIVES TO SERVE
ON THE SAN BERNARDINO INTERNATIONAL AIRPORT AUTHORITY
(RESCINDING 99-5 AND 92-36)

8. Resolution No. 2011-003, City of Highland Representative and Alternate Designation to the County of San Bernardino Solid Waste Advisory Task
Adopted Resolution No. 2011-003 designating Council Member Sam Racadio as the City's designated Representative and Public Resources Manager Melissa Morgan as the City's designated Alternate to the County of San Bernardino's Solid Waste Advisory Task Force.

RESOLUTION NO. 2011-003
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
HIGHLAND, CALIFORNIA, APPROVING COUNCILMEMBER SAM RACADIO
AS THE DESIGNATED REPRESENTATIVE AND PUBLIC SERVICES
MANAGER MELISSA MORGAN AS THE DESIGNATED ALTERNATE FOR THE
CITY OF HIGHLAND ON THE SOLID WASTE ADVISORY TASK FORCE
(SWAT)

9. Easement Acceptance/Olive Street Sidewalk Project (Project str09003)
1. Accepted the Grant of Easement for Road and Drainage Purposes from Adriana Noriega; and
2. Directed the City Clerk to record the Grants of Easement.
10. Developer In Lieu Fee Annual Report for Fiscal Year 2009-2010
Received and filed the Developer In Lieu Fee Annual Report for Fiscal Year 2009-2010.
11. AB 1600 Development Impact Fee Annual Report for Fiscal Year 2009-2010 per Government Code Section 66066
Received and filed the AB 1600 Development Impact Fee Annual Report for Fiscal Year 2009-2010.
12. Revised Agreement No. 1 to An Existing "Land Lease Agreement" Between the City of Highland and Los Angeles SMSA Limited Partnership d/b/a/ Verizon Wireless to Install and Operate a New Wireless Telecommunication Facility at Aurantia Park and Remove Their Existing Facility
Authorized the City Manager to execute the subject Amendment to the Land Lease Agreement with Los Angeles SMSA Limited Partnership d/b/a/ Verizon Wireless to install and operate a new Wireless Telecommunication Facility at Aurantia Park and remove the existing facility.

ITEMS PULLED FROM THE CONSENT CALENDAR

13. Bid Award – Bid No. 2010-09, “Victoria Avenue at 14th Street Traffic Signal Installation”

Councilwoman Scott stated was the development at the prior location of the miniature golf course conditioned to pay for any part of this signal?

City Engineer Wong stated no, it was not. It is strictly a city project because that project did not trigger the need for a signal.

A MOTION was made by Mayor Pro Tem Lilburn, seconded by Councilman Racadio, to award the contract for Bid No. 2010-09, “Victoria Avenue at 14th Street Traffic Signal Installation.” Motion carried, 3-1, with Councilwoman Scott dissenting and with Councilman Timmer being absent.

14. Bid Award – Bid No. 2010-07 Greenspot Road “S” Curve Realignment Project No. str06001, STPLH 5449 (017)

City Engineer Wong stated there is an error under recommendation; the lowest responsive bidder is MAMCO, Inc., and not Vance Corporation. Under recommendation the award should be given to Mamco.

Councilwoman Scott stated the engineer’s estimate was \$819,000 and every one of the bids we received was under the engineer’s estimate. She did not see a contract so she could not see any documents for cost over runs and so forth. She finds it hard to believe \$564,864 is going to be the final price as she believes it will be closer to the \$819,000.

City Engineer Wong stated we received eight bids and most of the bids had prices over \$700,000 and the low bidder is really low and from time to time this does happen. It is up to staff to pay attention to the contract and how the construction progresses. Staff’s job is to control the cost of the project.

Mayor McCallon asked is staff comfortable with the fact the contractor understands the scope of work and their bid was appropriate.

City Engineer Wong stated this contractor actually received very good recommendations from other agencies we have spoken to.

A MOTION was made by Councilwoman Scott, seconded by Councilman Racadio to award the contract for Bid No. 2010-07, “Greenspot Road “S” Curve Realignment to Vance Corporation.” Motion carried, 4-0, with Councilman Timmer being absent.

CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARING

15. Proposed City of Highland Community Development Block Grant (CDBG) Applications for Fiscal Year 2011-2012 to be Submitted to the San Bernardino County Community Development and Housing Department for Determination of Eligibility

Mayor McCallon opened the public hearing.

Community Development Director Jaquess stated this is an annual item that comes before you at this time of the year, every year. It is our submittal of an application to the county for them to evaluate our request for eligibility under the CDBG program. We are proposing to essentially carry over requests that we have similar to what we have submitted in previous years. The biggest change is that we used to break out a couple of programs into separate programs that were relative to the Neighborhood Revitalization Program and the staff programs. Due to the fact there is a minimum amount of money that is required to be part of the application we have combined those two into one and the County has essentially agreed with this concept. Staff is proposing Council support, under the construction improvement projects, a Neighborhood Revitalization Program that supports 30% of the Economic Development Specialist position and also under Neighborhood Revitalization for Code Enforcement, a Code Enforcement Officer and a Clerk, a portion of their salaries. Secondly it is the proposal to submit an application for construction project for curb, gutter and sidewalk on Olive Street between Base Line and 14th Street for \$544,000. This exceeds the amount of money that is now available to us but it's the whole project.

Mayor McCallon called for any speakers in favor or in opposition. Hearing none, he closed the public hearing.

A MOTION was made by Mayor Pro Tem Lilburn, seconded by Councilman Racadio, to do the following:

1. Approve the City's Construction Improvements Project Proposal for Neighborhood Revitalization that supports thirty percent (30%) of the salary and benefits of the Economic Development Specialist position in the amount of \$33,064 and supports seventy-five percent (75%) of the salary and benefits for a full-time Code Compliance Officer and forty percent (40%) of the salary and benefits of a full-time Clerk in the amount of \$90,933; a total request of \$123,997;
2. Approve the City's Construction Improvements Project Proposal to construct curb, gutter and sidewalk improvements and wheelchair ramp improvements along both sides of Olive Street in the amount of \$544,000; and
3. Authorize the City Manager to sign and submit the above referenced CDBG Applications to the San Bernardino County Community Development and Housing Department for consideration. Motion carried, 4-0, with Councilman Timmer being absent.

CITY COUNCIL/REDEVELOPMENT AGENCY LEGISLATIVE

16. City Council to Review the Need for Continuing the Local Emergency Pursuant to Highland Municipal Code 2.44.060(A)(2)

Councilman Racadio stated after reviewing the area with CAL-EMA he feels this needs to be continued.

A MOTION was made by Councilman Racadio, seconded by Councilwoman Scott, to receive and file the report. Motion carried, 4-0, with Councilman Timmer being absent.

17. Proposed Modification to the Neighborhood Pride Grant Program

Community Development Director Jaquess stated the item before you is to consider some items that were considered by the Neighborhood Revitalization Program Subcommittee a week ago. Couple actions took place at the meeting, one particular action is the subcommittee elected to expand the geographic area of the eligibility for the Neighborhood Stabilization Program to exclude the village area, the entire village, but the action of the committee was to define a priority one and a priority two area. The priority one was somewhat of a notched line but was between Tyler and Cortez Streets and the area west of this line was in priority one and the area east of the line was priority two. The areas were basically the areas that were affected by the mud and flood damages versus those that had escaped the problem. Second part of the project was to look at the possibility of expanding the program at this location at this particular village area. There were three elements of the committee's review which they forwarded to City Council for consideration. The first one was to make the program available to owners of rental properties regardless of the income of the owner of the property.

Mayor Pro Tem Lilburn stated that is with the clarification for the priority one area only if she recalls correctly. In the renter portion, it was only in the priority area one.

Economic Development Specialist Stater stated we did have some questions, this is part of the reason this item is back.

Community Development Director Jaquess stated we are looking for direction from Council on this point. The second item was to make the program eligible to owner occupied homes even if the owner's income exceeded the income eligibility for the LMI funds and this would require us to use non LMI funds for those situations. The third element was to consider including homes that are not occupied, vacant properties, and there are a few of those. Those are owned but we don't have a renter so it was hard to know if they were renter or non renter owned homes so we included vacant homes again with the same caveat of the income. Again we are talking about a program where it involves a \$25,000 loan which is forgiven over five years if the ownership of the unit remains the same the whole five years. The tenants can change out but the ownership would have to stay the same. That is a quick review of the program. There are some refinements of this that staff expects the Council to give in terms of taking action.

Mayor Pro Tem Lilburn stated on the owner occupied versus the renter occupied that was in priority area one, she also believes the amount of income level was also designated to priority focus area one. We opened this up to the entire neighborhood for the grant but we were focusing on priority areas and that priority area two had to fall within the guidelines of the program.

Community Development Director Jaquess stated it wasn't totally clear to staff which is one of the reasons we wanted to get those points clarified.

Economic Development Specialist Stater stated the action of the subcommittee was taken in its entirety. These decisions couldn't be made the subcommittee.

Mayor Pro Tem Lilburn stated but it was the recommendation.

Economic Development Specialist Stater stated the way it was written, the way she had it written, that it was village wide because we wanted to make sure that none of the pieces were left out.

Mayor Pro Tem Lilburn stated the recommendation was to bring the NPG to the entire Village but there were some stipulations that went with priority. This is why we drew the line.

Economic Development Specialist Stater stated then the priority was that those people would receive assistance first.

City Manager Hughes stated the priority two would have to fall in line with the typical program that we already have now and they would have to get in line behind the, not just the first priority, but behind the existing program.

Economic Development Specialist Stater stated right, with the waiting list.

Councilman Racadio stated and the income limits would apply to priority area two.

City Manager Hughes stated yes, it would be just the regular program in priority area two.

Mayor McCallon stated the only additional thing we are talking about is to those that don't qualify income-wise for the grant that we are making some provision for those people.

City Manager Hughes stated in priority area one.

Mayor McCallon stated in priority area one only.

City Manager Hughes stated and also allowing it to apply to rentals in priority area one only.

Mayor McCallon stated to rentals and to homeowners who don't make the income cut off but with the understanding that if those redevelopment funds are provided that will trigger prevailing wage requirements and increase the costs.

Economic Development Specialist Stater stated prevailing wage will be triggered as soon as they are not income qualified. As soon as LMI Funds are not used, the prevailing wage will be triggered no matter the scenario.

Councilwoman Scott stated she's going to be devil's advocate; here the owners are the only ones that can apply for these loans right.

Community Development Director Jaquess stated in any case this is true.

Economic Development Specialist Stater stated because there is a restriction on the property that is recorded.

Councilwoman Scott stated some of the recorded owners, their names are still on the deed, but they are dead.

Economic Development Specialist Stater stated we take that into account and typically we clean that up when we do our escrow documents.

City Manager Hughes stated we have to do a full title report, escrow documents and this all has to be placed on title.

Councilwoman Scott stated some of the things from the assessor's office are that they have duplicates. Now let's say an owner applies and the owner does not live there but there is a renter there, is there something in this loan, in the paperwork, that states that the money that is applied for will go for the repair, clean up, etc., of that property. The owner can't apply for that \$25,000 just to have it.

City Manager Hughes stated it has to be used on the property.

Community Development Director Jaquess stated and we only give the money on an incremental basis. We don't just hand over a \$25,000 check.

Mayor McCallon stated it's based on invoices submitted.

Councilman Racadio stated first of all he thinks it's a great idea. This is a neighborhood which could really use it, use the program. This instance that has occurred has really made it visible to us that it is necessary there and maybe could have been done earlier but he is glad we're doing it. He was very concerned when he first read the staff report that we were lifting the income limits for the whole area and Mayor Pro Tem Lilburn has clarified that the income limits only apply to priority area one that was damaged because he thinks it's a great program. Number two is, as he's hearing it and he agrees with this too, as long as the rental properties it only applies to priority area one. Bear in mind that those rental properties will automatically be a grant from day one.

Community Development Director Jaquess stated it wasn't our intent because it still requires, in staff's mind, the owner has to retain ownership for five years.

Councilman Racadio stated but on the others if they turn into a rental they lose it, right?

Economic Development Specialist Stater stated that is correct.

Councilman Racadio stated there is a little difference here but under the circumstance with the conditions of the priority area one he would agree with that. He is favor of this item with those restrictions.

City Manager Hughes asked do we want to clarify priority area one as just homes that had damage.

Councilman Racadio stated he would like to see that.

Economic Development Specialist Stater stated how much damage? Some had mud in their yards.

Mayor McCallon asked how is the black line drawn here.

Economic Development Specialist Stater stated that was our original understanding of the affected area. Building and Safety went out and inspected each of those and made a note whether it was green, yellow, red or unaffected.

Mayor Pro Tem Lilburn stated the committee decided to make it a clear cut line and we know that some of these probably weren't, but these were, and so we just decided that this would be the line to make it clear and that was the reason for going straight.

Councilman Racadio asked so there could be some in priority area one that may not have received any damage.

Economic Development Specialist Stater stated that is correct. There at probably the southern end of Tyler, on the east side of the street, had a few inches of mud in their yard. She can say that both 7991 and 7993 have already applied and are interested in improving their homes.

Councilman Racadio asked are these rentals?

Economic Development Specialist Stater stated 7991 is owned and resided in by the owner and they also own the property to the south in which a family member lives in; 7991 is in pretty good shape but 7993 could use the assistance.

Mayor McCallon stated if he might say the intent of the Council is to give first priority to those that have damage to their homes and we also want to help everyone else but the first priority needs to be those that really need it now.

Economic Development Specialist Stater stated we will be able to open 20-25 cases all at once. We have 12 applications as of today from priority area one.

Councilman Racadio asked are all those income qualified?

Economic Development Specialist Stater stated not yet, those are just applications that have been received.

Mayor Pro Tem Lilburn stated this program has a huge waiting list for the other neighborhoods and this has taken over in priority. Staff has already taken the initiative to pass out applications.

Mayor McCallon stated this is appropriate, we need to give these people priority.

City Manager Hughes asked if we can get clarification on the boundary.

Councilman Racadio stated he recommends to keep the boundaries as they are now, priority one and priority two, under the limitations we have discussed.

Mayor Pro Tem Lilburn asked what about the vacant land, do we want to include that or is that a low priority.

Economic Development Specialist Stater stated vacant houses.

Mayor Pro Tem Lilburn asked are they going to go to priority two regardless if they are in priority one area.

Economic Development Specialist Stater stated the Southern Baptist Convention had stated they will possibly be able to do the mud outs on those as well, if they have the property owners permission. For example, the one located at 7932 Tyler Street, near Old Greenspot, we have been trying to contact the property owner, as an example.

Mayor McCallon stated with the clarifications made, is staff comfortable with everything. Do we want to keep the boundaries the same?

Councilman Racadio stated he thinks under the circumstances we should go with that.

A MOTION was made by Councilman Racadio, seconded by Mayor Pro Tem Lilburn, to approve the modifications to the Neighborhood Pride Grant Program to assist property owners located south of Greenspot Road between Church Avenue and Merris Street who were affected by flooding on December 22, 2010, according the discussion on what the limits will be. Motion carried, 4-0, with Councilman Timmer being absent.

18. Proposed \$5,660,000 City of Highland Community Facilities District 2001-1 Refunding Special Tax Bonds, Series 2011

Mr. Marshall Linn stated Council will recall the authorization of the issuance of special tax bond, the CFD Bonds, in August, 2001, in the amount of \$6,665,000. The proceeds of the bond were used to fund the acquisition and construction of improvements within the actual project area. The initial bond period was 30 years and the proposal is to go ahead and refund these bonds to take advantage of lower interest rates. At the present time given, the rates today we cannot get any savings out of this and it would not make sense to issue these bonds now. Once the market starts moving down and there is no guarantee that it will, we will have our documentation ready and we are set to take advantage of the savings.

Mayor McCallon stated in essence we are being asked to get ready for this by approving this and then the City Manager will make the decision to proceed.

City Manager Hughes stated we only want to do this if there is a substantial savings or significant savings to the taxpayer, if we can save \$50 or more would be beneficial.

Mr. Marshall Linn stated he would hope Council will set a threshold hold regarding what the lowest you can do which is somewhere in the \$50 range.

Mayor McCallon asked going through this process now, will we incur costs.

Mr. Marshall Linn stated no, all the professionals working on this will be a contingency basis.

Councilman Racadio stated Councilman Timmer and he sit on the Finance Subcommittee and their conclusion was as long as the time span is not extended, which it does not, it does save \$50 to the homeowner. We also requested to show the closing costs which calculate to less than a percent.

A MOTION was made by Councilman Racadio, seconded by Mayor Pro Tem Lilburn, to adopt Resolution No. 2011-004 authorizing the issuance, sale and delivery by the City of Highland of its Community Facilities District 2001-1 Refunding Special Tax bonds, Series 2011, and approving certain documents and taking certain other actions in connection therewith in the range amount of \$45.00. Motion carried, 4-0, with Councilman Timmer being absent.

RESOLUTION NO. 2011-004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, ACTING FOR ITSELF AND AS THE LEGISLATIVE BODY OF CITY OF HIGHLAND COMMUNITY FACILITIES DISTRICT NO. 2001-1, TO AUTHORIZE THE ISSUANCE OF ITS SPECIAL TAX REFUNDING BONDS, SERIES 2011, IN A PRINCIPAL AMOUNT NOT TO EXCEED FIVE MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$5,750,000) AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

19. Historic and Cultural Preservation Board Vacancy

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

Mayor Pro Tem Lilburn nominated Karsten Polk.

Councilman Racadio nominated Anne Viricel.

Karsten Polk received three votes and is thereby appointed to the Historic and Cultural Preservation Board.

A MOTION was made by Mayor Pro Tem Lilburn, seconded by Councilwoman Scott, to appoint one member of the public, Karsten Polk, to serve on the Historic and Cultural Preservation Board.

20. Second Reading of Ordinance No. 355, MCA-010-005 – Highland Municipal Code Amendment Related to Title 1 General Provisions, Chapter 1.08, County Code Adopted; Title 2 Administration and Personnel, Chapter 2.56 Administrative Citation Process, Section 2.56.010 Authority Statement of Purpose and Intent; and Title 6 Animals, Chapter 6.04 County Animal Control Regulations Adopted, Section 6.04.020 County Animal Control Regulations – Adopted and Section 6.04.040 Penalties

A MOTION was made by Councilman Racadio, seconded by Mayor Pro Tem Lilburn, to conduct a second reading of Ordinance No. 355, Amending Title 1 General Provisions, Chapter 1.08, County Code Adopted; Title 2 Administration and Personnel, Chapter 2.56 Administrative Citation Process, Section 2.56.010 Authority Statement of Purpose and Intent; and Title 6 Animals, Chapter 6.04 County Animal Control Regulations Adopted, Section 6.04.020 County Animal Control Regulations – Adopted, and Section 6.04.040 Penalties” of the Highland Municipal Code. Motion carried, 4-0, with Councilman Timmer being absent.

City Clerk Hughes introduced Ordinance No. 355:

ORDINANCE NO. 355

AN ORDINANCE OF THE CITY OF HIGHLAND, CALIFORNIA AMENDING SECTION 1.08.050 (“REPEAL OF VARIOUS TITLES, DIVISIONS, CHAPTERS AND SECTIONS OF THE SAN BERNARDINO COUNTY CODE.”) OF CHAPTER 1.08 (“COUNTY CODE ADOPTED”) OF TITLE 1 (“GENERAL PROVISIONS”), SECTION 2.56.010 (“AUTHORITY STATEMENT OF PURPOSE AND INTENT”) OF CHAPTER 2.56 (ADMINISTRATIVE CITATION PROCESS”) OF TITLE 2 (“ADMINISTRATION AND PERSONNEL”) AND SECTIONS 6.04.020 (“COUNTY ANIMAL CONTROL REGULATIONS – ADOPTED”) AND 6.04.040 (“PENALTIES) OF CHAPTER 6.04 (“COUNTY ANIMAL CONTROL REGULATIONS ADOPTED”) OF TITLE 6 (“ANIMALS”) OF THE HIGHLAND MUNICIPAL CODE RELATING TO ADMINISTRATIVE CITATIONS AND PENALTIES FOR VIOLATIONS OF THE CITY’S ANIMAL CONTROL REGULATIONS.
[MUNICIPAL CODE AMENDMENT (MCA-010-005)]

which title was read.

21. Second Reading of Ordinance No. 356 Adopting of 2010 California Fire Code

A MOTION was made by Councilwoman Scott, seconded by Councilman Racadio, to approve the second reading of Ordinance No. 356 adopting the 2010 California Fire Code and Amendments. Motion carried, 4-0, with Councilman Timmer being absent.

City Clerk Hughes introduced Ordinance No. 356:

ORDINANCE NO. 356
AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF HIGHLAND, CALIFORNIA, ADOPTING AND AMENDING
THE 2010 EDITION OF THE CALIFORNIA FIRE CODE AND RELATED
APPENDICES, REPEALING ORDINANCE NO. 333

which title was read.

22. Second Reading of Ordinance No. 357 Adopting the 2010 California Building Code Series

A MOTION was made by Councilman Racadio, seconded by Mayor Pro Tem Lilburn, to approve the second reading of Ordinance No. 357 adopting the 2010 California Building Code Series. Motion carried, 3-1, with Councilwoman Scott dissenting and with Councilman Timmer being absent.

City Clerk Hughes introduced Ordinance No. 357:

ORDINANCE NO. 357
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, REPEALING ORDINANCE NO. 319 AND AMENDING TITLE 15
OF THE MUNICIPAL CODE OF THE CITY OF HIGHLAND ADOPTING THE
2010 CALIFORNIA BUILDING CODE; VOLUMES I AND II; THE 2010
CALIFORNIA RESIDENTIAL CODE; THE 2010 CALIFORNIA ELECTRICAL
CODE; THE 2010 CALIFORNIA PLUMBING CODE; THE 2010 CALIFORNIA
MECHANICAL CODE; THE 2010 CALIFORNIA GREEN BUILDING
STANDARDS CODE; THE 1997 UNIFORM HOUSING CODE; AND THE 1997
UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS,
IMPOSING PENALTIES FOR THE VIOLATION OF SAID CODES,
AUTHORIZING THE BUILDING OFFICIAL TO ENFORCE SPECIFIED
POLICIES AND MAKING FINDINGS AS REQUIRED BY LAW RELATING TO
THE AMENDMENT OF SPECIFIED CODES.

which title was read.

23. Proposition 1B – Change Funding Allocations

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

A MOTION was made by Councilman Racadio, seconded by Mayor Pro Tem Lilburn, to reallocate FY 2007-08 Proposition 1B funding (\$412,376) from the Base Line Pavement Rehabilitation Project to the Boulder Avenue Pavement Rehabilitation Project, and FY 2009-10 funding (\$328,709) from the Boulder Avenue Pavement Rehabilitation Project to the Base Line Pavement Rehabilitation Project. Motion carried, 4-0, with Councilman Timmer being absent.

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

Mayor Pro Tem Lilburn stated she would like to thank Omnitrans for their donation of buses for transporting volunteers during the clean up efforts.

Mayor McCallon stated Omnitrans has been a great help to the City of Highland and their efforts are appreciated.

City Manager Hughes stated the final report for the Work Program has been distributed for the last two years. We are currently working on the next two-year Work Program.

25. San Bernardino International Airport Authority and IVDA

Councilman Racadio stated he attended the meeting and it was in regards to a strategic plan for the San Bernardino International Airport and he has invited Mike Burrows to conduct the same presentation for City Council.

City Manager Hughes stated this has been arranged for the next regularly scheduled Council Meeting.

25. Governor's Proposal on Redevelopment Agencies

City Manager Hughes stated you may or may not have heard the Governor's proposal for the abolishment of Redevelopment Agencies in the State of California. This proposal will have a serious impact to the City of Highland both in job creation opportunities and neighborhood revitalization programs that we currently have under way. We have a proposed letter that CRA has put together that we would like to send out tomorrow with the Mayor's signature to the Governor as well as our Legislators and get the ball rolling on fighting this take of local government revenues.

Mr. Marshall Linn stated when the Governor's presentation was sent out electronically, it took him awhile to get off the floor just from the shock of it. Short sided, selfish, ignorant and stupid. As the President of the PAC for the CRA, we are pretty much involved in this battle and he cannot figure out, the State of California has no local or statewide program for the improvement of infrastructure. No statewide or local program of economic growth within new jobs, sales tax. Yet the most effective tool we've had in the State of California, 50 years, they want to do away with that. They want to do away with it in such a manner that is taking a hatchet and chopping up the Legislation. This body of law that we, the RDA, has abided by has been a body of law that has been drafted over a period of decades, decades, decades and decades. Rather than trying to improve it and try to come through with a different kind of financing structure for the schools and so on, he takes a hatchet and says let's chop it off. He cannot even tell the Council how many City Managers he has called him in the past days. It's damaging to them because the Redevelopment Agencies are the only tool that 95% of all cities have to build infrastructure, flood controls channels, repair streets, public buildings, and recreational opportunities. Things that you folks have done ever since you have been a city and you have done it very, very well. You have been prudent and have been a model agency. You haven't wasted a lot of money on things that have nothing to do with the hardcore fact of getting rid of blight and building infrastructure. The telecast the Governor had today, wanted to get it done with urgency by passing it as an urgency manner by March of this year. They want all agencies to terminate their existence by June of this year and then there will be a successor interest with he has no clue what that means but it's going to administer your money. Those you who have increment that you use for staffing levels that will be gone. The only money you will be able to keep, the way they see it, is where you have an action you have taken where you have to pledge increment to pay for the bonds that you sold. We have been struggling for the last few days and a lot of other cities and he called Director of Administrative Services Dantuono this morning and said he had an idea. We need to look at the budget very, very carefully because money you use for the indirect costs is going to be gone and the money you have over and above existing obligations, if you have any money at all which should bond against that as soon as we possibly can. Rather than give away a million dollars to the state, which is something you are never going to see, why not take a large chunk of money, you keep here and as a legislative body determine what projects you're going to build with it. Then you charge off staff time to that project. It's a way to keep staff but more importantly a way to build projects to enhance the economic growth and the well being of the people. He is not sure there is enough time to do this. We think we can. It's probably going to be the most rushed jobs in the world. There's a couple of ways to do it. One would be to issue a certificate of participation and back that by tax allocation bonds or revenue stream or to do an outright tax allocation bond issue. We will explore that tomorrow with the attorneys the city has used in the past for the bond issues.

If the Council is interested in doing this, he can give no guarantees that we will get it done in time, but we will start working tomorrow and get it back to you as soon as possible. If we can get a chunk of money that's yours, it's the best we can possibly do. Various people who are in the know feel this proposition has legs and he is not so sure that letters will do that good. He thinks personal contact on part of the politicians, the Mayor in particular, are going to be imperative. Each one of you as Council Members calling legislators, calling other Mayors in other cities trying to develop maybe like an Inland Empire Coalition. We have to fight this. This is your survival. You've worked long hours and many, many months to build this agency to where it's at.

Mayor McCallon stated this is obviously the wrong public policy approach especially for a state that has unemployment in excess of 12%. Redevelopment agencies and enterprise zones, which will also be done away with, are one of the means that jobs are generated and infrastructures improved and to take away this tool from us at a time when the state is also asking us to do sustainable communities to reduce Greenhouse Gases, to create jobs in the private sector, it is crazy. We will be going up later this month to talk to the leadership in the Legislature and to the Governor about this whole issue. The other thing is the League of California Cities Board sat with Governor Brown and talked about this issue before the budget came out trying to convince him that it was the wrong approach. It is incomprehensible to him that the Governor would put forth this proposal at this time when the economy in this state is so bad.

Mr. Marshall Linn stated about 90% of the cities and about 70% to 80% of all counties have RDA's and the political body staff can only be so helpful. It's the political officials who really have the clout.

Councilman Racadio stated you have made very good points on the economy and jobs and job creating. This is so counter productive to anything we have been trying to do. 98,000 housing units have either been created or built or rehabbed because of the redevelopment. Tonight we just took an action to expand our Neighborhood Pride Grant program into another area. We are using that as redevelopment money; we couldn't do that if it wasn't redevelopment. The state will take it and if they get it and blow it on other things. We ought to fight this as much as we can. The idea of us securing for our community as much as we can to protect our interest we ought to be working on that as quickly as we can.

A MOTION was made by Councilman Racadio, seconded by Councilwoman Scott, to send a letter in opposition, speak with legislators and to instruct staff to do what they can to protect our revenues. Motion carried, 4-0, with Councilman Timmer absent.

ANNOUNCEMENTS

Thursday, January 13, 2011

Chamber of Commerce Installation Dinner

CLOSED SESSION

No Closed Session

ADJOURN

There being no further business, Mayor McCallon adjourned the meeting at 7:20 p.m.

Submitted By:

Approved By:

Betty Hughes, CMC
City Clerk

Larry McCallon
Mayor