

**MINUTES  
CITY COUNCIL REGULAR MEETING  
SEPTEMBER 11, 2012 - 6:00 p.m.**

**CALL TO ORDER**

The regular meeting of the City Council 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 Mayor McCallon and the Pledge of Allegiance was led also by Mayor McCallon.

**ROLL CALL**

Present: Lilburn, McCallon, Racadio, Scott, Timmer  
Absent: None

**REPORT FROM CLOSED SESSION**

No Reportable Action

**SPECIAL PRESENTATIONS**

Mayor McCallon presented Dennis Barton, Assistant Public Works Director, with a Proclamation for his dedicated service to the City and the community.

**PUBLIC COMMENT**

Mr. Gary Underwood stated as he drives northbound on Boulder towards the bridge, which is currently being repaired, the whole area there is blighted. It really needs some landscaping and beautification as it is a major gateway to our city. He would recommend to the Council to take a look at the area and see the area in which needs to be addressed.

Public Works Director/City Engineer Wong stated the original bridge project does not include any enhancement work because it was a basic bridge project, a Federal grant. We were able to obtain additional monies and these monies can be used for upgrades. Therefore, the median from the bridge to the Post Office will be landscaped. Also, a sound wall, which will be built on the east side of the street, will have landscaping planted in front of the wall plus the street lights will be decorative style street lights.

Mr. Anthony Serrano stated he is handing out copies of the July 13, 2010 Public Safety Subcommittee Meeting minutes to the Council as well as his follow up letter dated July 29, 2010. This is regarding the pit bull dog ordinance which was being handled by the County of San Bernardino and the City of Highland's resolution. There are individuals coming into the City of Highland who buys or rent properties and they are bringing with them their oversized vicious dogs. His neighbor, directly behind him, has two vicious dogs which are kept in wrought iron dog runs but they jump out of their fencing. These dogs killed one of his dogs yesterday and previously killed a cat three months ago. On page 2, under number 3 for dog fencing, he has proposed a recommendation. If there are individuals coming into Highland and they are bringing in vicious dogs, he would like to see the ordinance be amended to include the dog owners would be required to put up concrete walls or something to keep the dogs secured on their own property.

## **CITY COUNCIL CONSENT CALENDAR**

**A MOTION** was made by Councilman Racadio, seconded by Mayor Pro Tem Lilburn, to approve the consent calendar as submitted. Motion carried on a roll call vote, 5-0.

Councilwoman Scott stated she has a question regarding the warrant register. We are buying more of the H keys, are they being lost or what?

City Manager Hughes stated they break. These are replacements for broken ones and these are mostly for the Police Department.

Councilwoman Scott stated they must be awfully cheap keys, not price wise, but cheap made if they are breaking so bad. We have had quite a few H keys on the warrant register and she thinks we need to look into this.

1. Waive the Reading of All Ordinances  
Waived the reading of all Ordinances in their entirety and read by title only.
2. Minutes – August 28, 2012 City Council Regular Meeting  
Approved the Minutes as submitted.
3. Warrant Register  
Approved Warrant Register No. 547 for September 11, 2012, in the amount of \$1,758,351.82 and Payroll of \$72,889.70.
4. Declaration of Three (3) Seats Vacant on the Historic and Cultural Preservation Board (HCPB)
  1. Declared three (3) seats vacant on the Historic and Cultural Preservation Board; and
  2. Directed the City Clerk to advertise the vacancy on the Board.

5. Conflict of Interest Code Update  
Rescinded Resolution No. 2010-033 and adopted Resolution No. 2012-035, Conflict of Interest.

RESOLUTION NO. 2012-035  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, RESCINDING RESOLUTION NO. 2010-033  
AND ADOPTING THE CITY'S CONFLICT OF INTEREST CODE

**CITY COUNCIL PUBLIC HEARING**

6. Ordinance No. \_\_\_\_\_ Establishing a Fee and Service Charge Revenue/Cost Comparison System and Resolution No. 2012-\_\_\_\_\_ Establishing a Schedule of Fees and Charges for City Services

Mayor McCallon opened the public hearing.

Director of Administrative Services Dantuono stated this is the bi-annual update for city fees for service. Once again we had Rick Kermer from Revenue Costs Specialists come out and meet with city staff on this. We started this probably back in April, maybe March, and we finally got it to this point where we are going to look at adopting the study. Attached in the staff report are the letters we sent to the development community notifying them of the Finance Subcommittee meeting and of this meeting. Attached in the staff report is the ordinance which staff is asking for Council to introduce tonight. The resolution is attached for informational purposes only and staff asks Council to adopt the ordinance and resolution at the next meeting.

City Manager Hughes stated he would also like to point out in the staff report there is a listing of all the fees by the unit cost and with the proposed increase or decrease. We have received a letter from the BIA requesting a continuance of this item and that has been handed out to Council.

Mayor McCallon stated yes, we all have a copy.

Mr. Carlos Rodriguez, Chief Executive Officer for BIA Baldy View Chapter, stated the buck stops with him when it comes to ultimately establishing an ongoing dialogue. The City has been tremendous in the past in working with them and he would like to recognize this. He does understand by way of the report that they have just missed the boat in regards to being able to engage in the subcommittee and discussions back in April. Nonetheless, they are here now and are requesting that there would be a continuance for 30 days, just to allow for additional time for review of the 29 different fees that were highlighted in the letter to meet with staff and continue the discussion to make sure that they can go back to their Board of Directors in the Building Industry and be able to say that

they did do their due diligence, confirm the accuracy of the fee. Also considering implementation, they understand this is a bi-annual item in light of the economic condition in our County, in the city, nationwide, they would hope there would be an opportunity for consideration in foregoing the bi-annual update perhaps leaning towards outwards to 2014 with respect to these fees to such a time that the housing market in Highland would be in a better position. Ideally to absorb what amounts to roughly \$4,800 as highlighted in those proposed fees. He hopes to have the opportunity to have this brief continuance and continue the dialogue.

Mayor McCallon called for speakers in favor or in opposition of this item. Hearing none, the public hearing is now closed.

Councilman Racadio stated we have been doing these audits for 23/24 years, has there been any change in the methodology?

Director of Administrative Services Dantuono stated no, it is the same.

Councilman Timmer stated it was stated that these fees being proposed have some kind of impact to \$4,800. When we heard this at the Finance Subcommittee, that number was not referenced at all. In fact, if you look at a lot of the fees, they are going down. So, in fact it seems like a pretty good balance of some of them going up a little, some going down. They have reviewed every function staff does and analyzed the specifics and it is based on the actual cost of providing that service. Can you explain where this \$4,800 comes from?

Director of Administrative Services Dantuono stated he does not know. It is the first he has heard of it.

Councilman Timmer stated normally we have a lot of discussion and we talk about developer impact fees. These are not developer impact fees as he understands they are the normal day to day fees for permits. By law, we are only allowed to charge what it actually costs to provide this service and that is what this study validates is the cost of what those are. Throwing a \$4,800 number, he has no idea; in fact if you look at some of them, they are going down 12%.

Councilwoman Scott stated it is very confusing to try and go from the big book into the attachment that we have been given because they do not line up. The nuisance abatement hearing, it shows that there is nothing and she knows there is staff time that is included for that so she has a question about that one. The refuse exemption permits shows a pretty high number.

Director of Administrative Services Dantuono stated these are calculated individual fee by the number of units, it's not the per unit cost.

Councilwoman Scott stated by the number of units, yes, that is what she is saying and then it is not alphabetical so you have to search and search and search for it.

Director of Administrative Services Dantuono stated this is just a summary he put in the mailing to the development community just so they can have a sixth page snap shot instead of looking at 500 pages, they can have it on 6 pages, just a summary. That is all it was intended for.

Councilwoman Scott stated well let's cut one of these out next time.

Councilwoman Scott stated she is not for the 30 days but it certainly would not bother her at all to take this into consideration at the next Council meeting so she can either meet with Director of Administrative Service Dantuono or meet with City Manager Hughes or both. It is a funny thing because a couple of them that he has in his letter are some that she is questioning.

Mayor McCallon stated attached to the BIA letter, this list here is misleading if you do not realize that it is a projection of how many applications or permits are going to be pulled in each of the categories. Then it is summed up to a total cost, a total amount of revenue. The real thing you look at is what the time is spent by each individual is and what that adds up to in terms of costs and that is the fee we charge because whatever service is provided we have to recover the costs of our personnel.

Councilwoman Scott stated just take one of these, okay you have four units of final parcel map review and you have the cost here. You are assuming with the new schedule that you are going to have four and so that is what you base the price on. She understands this. If you have eight, it is still going to be at that price and hopefully it will not cost anymore. She still has questions; she is not ready to give it a green light.

Councilman Timmer stated initially when this came before the Finance Subcommittee it was on the agenda then it was pulled because they wanted to give more time so they re-advertised to give another 30 days or something like that.

Director of Administrative Services Dantuono stated the letters we get from the BIA and the utilities say 14 days prior to any public meeting.

Councilman Racadio stated for example the tentative tract map review, we are charging \$12,800, it sounds like a lot of money, but that is a huge price. Somebody wants to do a major subdivision or community, \$12,800, proposing it goes up by \$800, if we do not raise this then that \$800 is being subsidized by everybody else in this community who is not doing a tentative tract.

Director of Administrative Services Dantuono stated and we would have to change the ordinance to lower the subsidy level or to increase the subsidy level.

Councilman Racadio stated he looks at this and he sees a lot of increases, not a lot, see increases, a number of decreases, he thinks most do not change at all. It is done by an independent auditing firm, it is not something they come in and analyze it. To him, it is pretty obvious. The methodology has not changed, we have been doing it for years and it is very complete. For example, on tentative tract it has a certain amount of time from the Public Works Director, the principal engineer, different engineers, development director, building official, fire marshal, police captain and it is pretty detailed. He feels there has been appropriate notice and he appreciates the concerns by Mr. Rodriguez of the BIA but he does not see this as anything different than we have been doing for years. Personally, he does not see a reason to extend it.

Councilman Racadio stated he would make a motion to introduce the Ordinance establishing a fee and service charge revenue/cost comparison system and to adopt the resolution which would establish a Schedule of fees and charges for city services.

Mayor Pro Tem Lilburn stated she would not mind seconding this motion but we still have 30 more days before the second reading and this would not go into effect.

City Manager Hughes stated two weeks and then it will go into effect 60 days. The second reading would take place in two weeks and then after that it will go into effect 60 days after the second reading if it is adopted.

Mayor Pro Tem Lilburn stated what if we postponed it to the next meeting and then it would give us 30 days which would give BIA time.

Mayor McCallon asked Mayor Pro Tem Lilburn if she was pulling her second on the motion.

Mayor Pro Tem Lilburn stated yes.

Councilman Racadio stated his motion went over. His motion is to introduce the ordinance.

Councilwoman Scott stated basically some of the things that she wanted to talk to staff about are the ones that are zero. Such as the loud party response, you have 206 units but no income. We have the false alarm ordinance and she thinks that is a real problem. People are not going to be courteous neighbors unless you hit them in the pocketbook.

Councilman Timmer stated he does not have a problem doing this but in his mind we have given them ample time for review. However, there is consensus of the Council to give another two weeks. It just means if someone comes in for one of these permits and the cost is lower they will pay a higher fee within that two week window because it will take two more weeks to get that 60 day for implementation.

City Attorney Steele stated if the pleasure of the Council is to continue for two weeks, he would suggest to re-open the public hearing first and then continue with the public hearing open that way if the industry has comments they can present them to Council.

Mayor McCallon re-opened the public hearing.

**A MOTION** was made by Mayor Pro Tem Lilburn, seconded by Councilwoman Scott, to continue this item to September 25, 2012, to allow more time for review and with the Public Hearing remaining open until the next meeting scheduled two weeks from tonight. Motion carried, 3-2, with Councilman Racadio and Councilman Timmer dissenting.

## **CITY COUNCIL LEGISLATIVE**

7. \$130,000 Donation from East Highlands Ranch Association to Cover the Expense of Installing Six Automatic License Plate Recognition Cameras near the Ranch Property

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

Mr. Fred Yauger, East Highland's Ranch Board Member, stated back in the spring some residents were experiencing break-ins and there was a great deal of concern. They had contacted the Sheriff's Department and Captain Williams met with the Board to discuss these issues. He introduced the Automatic License Plate Recognition cameras as a tool that had recently been brought into the city. The Board felt it had some benefit but they wanted to get some additional information. They invited the Captain, his team and a couple Council Members to a Homeowner's meeting. The Board became convinced this was a major tool which serviced our community and even though it was a major financial investment, the Board unanimously agreed this was something they wanted to do. Not only for the residents of the Ranch but for the entire City of Highland. The Board feels the relationship the Ranch has, has never been stronger and the communication has never been better. They are very pleased to donate the monies to the city to install the cameras.

Mayor McCallon thanks the Ranch for partnering with the city on this item.

Councilwoman Scott stated the ongoing cost of \$114 per month is that per system or for all six cameras.

City Manager Hughes stated total cost.

Councilwoman Scott stated okay, six cameras for \$114.03 per month, totaling \$1,368 per year. How many sheriff vehicles are equipped with this system?

City Manager Hughes stated all 14 Sherriff vehicles are equipped with this system.

Councilwoman Scott stated are these fixed locations?

City Manager Hughes stated Sheriff vehicles are mobile but the cameras are fixed locations.

Councilwoman Scott stated and as the car goes it can read the cameras?

City Manager Hughes stated as any vehicle drives by the location, any car, their license plate is read.

Councilwoman Scott stated is there a tape where it is reviewed everyday?

City Manager Hughes stated it downloads all the data. The air cards send the data to our large server we have and creates a database.

Councilman Racadio stated this is a great partnership and it will benefit the community greatly. The value in this technology is unbelievable and he thinks this is great. He is grateful the Ranch came forward and he is very supportive of this.

Mayor Pro Tem Lilburn stated she wanted to thank the Ranch for stepping up and partnering with the City and the Sheriff's Department. She feels this is one of the best investments we can make and it really protects our city.

Councilman Timmer stated he too would like to thank the Ranch for stepping forward to do this. It really is nice to have an organization come forward and say we have a problem and how they would like to work together to help fix the problem both financially and by being proactive in the community.

Mr. Fred Yauger stated the Chief of Police did an excellent job explaining to our residents the program and the value of the program. Safety is an enormous issue for the residents in the East Highlands Ranch. Based on the good work the Sherriff's Department is doing, the donation, though not easy, was an appropriate one.

**A MOTION** was made by Councilman Timmer, seconded by Councilwoman Scott to:

1. Approve the Agreement between the East Highlands Ranch Association and the City of Highland to accept the donation of \$130,000 and to install six fixed point ALPR cameras;
  2. Authorize the Mayor to sign the Agreement;
  3. Authorize the City Manager to enter into a contract with PIPS Technology for the sole source purchase and installation of the six fixed point ALPR cameras listed in Item #1 at a cost of \$127,862.25. This cost includes the purchase of an optional 2-year warranty; and
  4. Approve the following budget adjustments: \$130,000 to 027-8490-9313 for the revenue coming in from EHR. \$127,865 in 027-8490-6040 for the expenditure with PIPS Technology. Any funds leftover from the \$130,000 will be returned to the EHR. Motion carried, 5-0.
8. Update on SANBAG, SCAG, Omnitrans, Work Program and Regional/Legislative Issues/Development Issues/Subcommittees/AB 1234 Updates

Mayor Pro Tem Lilburn stated the CEO of Omnitrans, herself and Captain Williams will be meeting to speak about a couple of bus stops and the concerns for our city such as appropriate break stop locations for the drivers.

Councilman Racadio stated he, Mayor McCallon and Mayor Pro Tem Lilburn attended the League of California Cities Annual Conference in San Diego on September 5 to September 7, 2012. He especially enjoyed the session featuring For the Love of the City and learned a great deal.

Councilwoman Scott stated she is in favor of having a workshop featuring the notes and what was learned at the annual conference.

Mayor McCallon stated Council received an email regarding the results of the propositions that were voted on. There were three that were passed and two did not pass. Also, the Board took a position on some of the propositions that are on the ballot and those are detailed in the email.

Mayor Pro Tem Lilburn stated she also attended the League of California Cities Annual Conference in San Diego on September 5 to September 7, 2012. She also attended For the Love of Cities session and was very excited about the presentation. She would like to propose to the Council, before we open Boulder Bridge, possibly doing a bridge in the communities because it is right in the middle of our city, is having a dinner on the bridge and make it an exciting event. She would like to do something different and make events fun.

Councilman Racadio stated he too would also like to discuss For the Love of Cities further.

Mayor Pro Tem Lilburn stated she had spoken to adjacent cities and they were willing to set up a joint seminar.

Mayor McCallon stated he feels this should be organized through the League of California Cities.

9. San Bernardino International Airport Authority and IVDA

Councilman Racadio stated a contract for architectural engineering work is being approved for the new Sheriff's facility located at the airport.

**ANNOUNCEMENTS**

October 5  
November 17

19th Annual Volunteer Dinner  
City of Highland Silver Jubilee

**CLOSED SESSION**

At 7:23 p.m., the City Council convened into closed session regarding the following:

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Initiation of litigation pursuant to Government Code Section 54956.9(c):  
Two cases.

**ADJOURN**

There being no further business, Mayor McCallon adjourned the meeting at 7:17 p.m. in memory of Jean Williams and in memory of those who perished in the September 11 tragedy.

Submitted By:

Approved By:

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Betty Hughes, MMC  
City Clerk

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Penny Lilburn  
Mayor Pro Tem