

**MINUTES  
CITY COUNCIL REGULAR MEETING  
JUNE 11, 2013 - 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 Reverend Jason Barker, Immanuel Baptist Church, and the Pledge of Allegiance was led by Councilman Timmer.

**ROLL CALL**

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

**REPORT FROM CLOSED SESSION**

No Reportable Action

**SPECIAL PRESENTATIONS**

None

**A MOTION** was made by Councilman Racadio, seconded by Councilman Timmer, to add an item to the Agenda, Item #28, regarding additional CDBG funding. Motion carried, 4-0, with Mayor Pro Tem Lilburn abstaining.

Mayor Pro Tem Lilburn stated she would like to abstain due to a conflict of interest as her Agency, The Senior Center, received CDBG funds.

**PUBLIC COMMENT**

None

**CITY COUNCIL CONSENT CALENDAR**

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

1. Waive the Reading of All Ordinances  
Waived the reading of all Ordinances in their entirety and read by title only.

2. Minutes – May 28, 2013 City Council Special Meeting  
Approved the Minutes as submitted.
3. Claim Consideration – Gabrielle Deloera  
Rejected claim.
4. Warrant Register  
Approved Warrant Register No. 564 for June 11, 2013, in the amount of \$1,054,275.63 and Payroll of \$68,025.23.
5. Treasurer’s Report for April  
Received and filed the Treasurer’s Report for April 2013.
6. Agreement for the Use of CONFIRE Radio Talkgroups  
Authorized the City Manager to sign the Agreement.
7. Resolution No. 2013-015 Establishing the Annual Special Tax for Community Facilities District No. 2001-1 for Fiscal Year 2013/2014  
Adopted Resolution No. 2013-015 establishing the Annual Special Tax for Community Facilities District No. 2001-1 for Fiscal Year 2013/2014 and file with the County Auditor-Controller Resolution No. 2013-015 with the tax roll.

RESOLUTION NO. 2013-015  
A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF HIGHLAND, CALIFORNIA, ESTABLISHING THE ANNUAL  
SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2001-1  
FOR THE FISCAL YEAR 2013/2014

8. Resolution No. 2013-016 Establishing the Annual Special Tax for Community Facilities District No. 90-1 for Fiscal Year 2013/2014  
Adopted Resolution No. 2013-016 establishing the Annual Special Tax for Community Facilities District No. 90-1 for Fiscal Year 2013/2014 and file with the County Auditor-Controller Resolution No. 2013-016 with the tax roll.

RESOLUTION NO. 2013-016  
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 2013/2014

9. Resolution No. 2013-017 Confirming the Authority of the City Treasurer Pursuant to Government Code Section 53607  
Adopted Resolution No. 2013-017 confirming the authority of the City Treasurer pursuant to Government Code Section 53607.

RESOLUTION NO. 2013-017  
A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF HIGHLAND, CALIFORNIA, CONFIRMING THE  
AUTHORITY OF THE CITY TREASURER PURSUANT TO  
GOVERNMENT CODE SECTION 53607

10. Resolution No. 2013-018 Rendering the Annual Statement of Investment Policy for Fiscal Year 2013-2014  
Adopted Resolution No. 2013-018 rendering the Annual Statement of investment Policy for Fiscal Year 2013-2014.

RESOLUTION NO. 2013-018  
A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF HIGHLAND, CALIFORNIA,  
ADOPTING THE ANNUAL STATEMENT OF  
INVESTMENT POLICY FOR FISCAL YEAR 2013/2014

11. Resolution No. 2013-019 Establishing the Appropriations Limit for Fiscal Year 2013-2014 for the City of Highland in Accordance with the Provisions of Division 9 of Title 1 of the California Government Code  
Adopted Resolution No. 2013-019 establishing the Appropriations Limit for Fiscal Year 2013-2014 for the City of Highland in accordance with the provisions of Division 9 of Title 1 of the California Government Code.

RESOLUTION NO. 2013-019  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
HIGHLAND, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS  
LIMIT FOR FISCAL YEAR 2013-2014 FOR THE CITY OF  
HIGHLAND IN ACCORDANCE WITH THE PROVISIONS OF DIVISION 9  
OF TITLE 1 OF THE CALIFORNIA GOVERNMENT CODE

12. Resolution No. 2013-020 Amending the City of Highland Premium Only Plan  
Approved Resolution No. 2013-020 amending the City of Highland Premium Only Plan.

RESOLUTION NO. 2013-020  
A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF HIGHLAND, CALIFORNIA,  
AMENDING THE CITY OF HIGHLAND PREMIUM ONLY PLAN

13. City of Highland 2013 Emergency Operations Plan  
Adopted Resolution No. 2013-021, attached as "Attachment A," approving and adopting the City of Highland 2013 Emergency Operations Plan.

RESOLUTION NO. 2013-021  
A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF HIGHLAND, CALIFORNIA,  
APPROVING THE ADOPTION OF THE CITY OF HIGHLAND  
2013 EMERGENCY OPERATIONS PLAN

14. Interlocal Agreement Concerning Distribution of the 2013 Byrne Justice Assistance Grant (JAG) Program Award
1. Authorized the City Manager to sign the Interlocal Agreement Concerning Distribution of the 2013 Byrne Justice Assistance Grant (JAG) Program Award;
  2. Authorized the Director of Administrative Services to complete any necessary documentation to complete the grant process; and
  3. Authorized the expenditure of the grant award of \$17,791; Special Project overtime in the Justice Assistance Grant (JAG) 2013/20014 budget.

**CITY COUNCIL PUBLIC HEARING**

15. Resolution No. 2013- 022 Adopting a Biennial Budget for Fiscal Years 2013-2015

Mayor McCallon opened the public hearing.

City Manager Hughes stated we presented the preliminary budget to the City Council during the Study Session which was held a few weeks ago. There were no changes proposed at that meeting and had one clarification in the transmittal letter regarding street light assessments and its overall costs, not just electrical, so that change was made in the letter.

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

Councilwoman Scott stated she would like to know why this one is before 19, 20 and 21 on the agenda because if this is accepted then everything in 19, 20 and 21...

City Manager Hughes stated that's not the case. If 19, 20, and 21 don't pass, we just don't expend the money out of the budget.

Mayor McCallon stated this is just the budget, not an expenditure document.

Councilwoman Scott stated thank you, that answers her question.

**A MOTION** was made by Councilman Timmer, seconded by Councilman Racadio, to adopt Resolution No. 2013-022 adopting a Biennial budget for fiscal years 2013-2015. Motion carried, 5-0.

RESOLUTION NO. 2013-022  
A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF HIGHLAND, CALIFORNIA, ADOPTING A BIENNIAL BUDGET  
FOR FISCAL YEARS 2013-2015

16. Second Reading of Ordinance No. 380 to Approve the Greenspot Village and Marketplace Specific Plan (SPR-006-001)

Mayor McCallon opened the public hearing.

Community Development Director Jaquess stated just to advise the Council the revisions that were discussed at the last hearing and were included in the Motion were all specifically incorporated into the document and is what is attached to the Staff Report.

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

Councilwoman Scott stated now this is just the second reading for the EIR zone changes, it's not the Specific Plan.

Mayor McCallon stated it is the zone change, the Specific Plan is the zone change, and it's not Development Agreement or the Design Review that has been a conflict.

Councilwoman Scott stated so it's the whole Specific Plan that still says 800 residential units and still says "may" in several places when it should say "shall."

Mayor McCallon stated it's the same Specific Plan that we voted on at the last meeting with the changes initiated there.

Councilwoman Scott stated those changes weren't done.

Mayor McCallon stated and as he recalls, Councilwoman Scott voted against it at that time.

**A MOTION** was made by Councilman Racadio, seconded by Mayor McCallon, to conduct a second reading of Ordinance No. 380 to approve Specific Plan 006-001 (SP 006-001) for the Greenspot Village & Marketplace. Motion carried, 4-1, with Councilwoman Scott dissenting.

City Clerk Hughes introduced Ordinance No. 380:

ORDINANCE NO. 380  
AN ORDINANCE OF THE CITY OF HIGHLAND, CALIFORNIA,  
ADOPTING THE GREENSPOT VILLAGE AND MARKETPLACE  
SPECIFIC PLAN (SPR-006-001)

which title was read.

**CITY COUNCIL LEGISLATIVE**

17. Two Appointments to the Building Code Appeals Board (BCAB)

**A MOTION** was made by Councilman Racadio, seconded by Mayor Pro Tem Lilburn, to re-appoint the current two members who have reapplied to the public to the Building Code Appeals Board. Motion carried, 5-0.

18. Resolution No. 2013-023 Certifying the Appointment of John Jaquess as Community Development Director Following his Retirement as a City Employee and Certifying the Nature of the Employment and that the Appointment is Necessary to Fill a Critically-Needed Position Before 180 Days Passes Following his Retirement

City Manager Hughes gave a brief review of the Staff Report.

**A MOTION** was made by Councilman Timmer, seconded by Councilman Racadio, to approve Resolution No. 2013-023 certifying the appointment of John Jaquess as Community Development Director following his retirement as a city employee and certifying the nature of the employment and that the appointment is necessary to fill a critically-needed position before 180 days passes following his retirement. Motion carried, 5-0.

RESOLUTION NO. 2013-023  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, CERTIFYING THE APPOINTMENT OF JOHN JAQUESS  
AS COMMUNITY DEVELOPMENT DIRECTOR FOLLOWING HIS RETIREMENT  
AS A CITY EMPLOYEE, AND CERTIFYING THE NATURE OF THE  
EMPLOYMENT AND THAT THE APPOINTMENT IS NECESSARY TO FILL A  
CRITICALLY-NEEDED POSITION BEFORE 180 DAYS PASSES  
FOLLOWING HIS RETIREMENT

19. Resolution No. 2013-024 Implementing on July 1, 2013, a 2% Across the Board Adjustment for All Employees and Implementing on July 1, 2014, a 2% Across the Board Adjustment for All Employees

City Manager Hughes gave a brief review of the Staff Report.

**A MOTION** was made by Councilwoman Scott, seconded by Councilman Timmer, to approve Resolution No. 2013-024 implementing on July 1, 2013, a 2% across the board adjustment for all employees and implementing on July 1, 2014, a 2% across the board adjustment for all employees. Motion carried, 5-0.

RESOLUTION NO. 2013-024  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, RESCINDING RESOLUTION NO. 2008-028  
ESTABLISHING EMPLOYEE SALARIES

20. Resolution No. 2013-025 Amending Resolution No. 2006-022 Establishing Personnel System Rules and Rescinding Resolution No. 2011-026

City Manager Hughes gave a brief review of the Staff Report.

Councilwoman Scott stated she is against the Council portion of this item. She is not against it for the Staff. She doesn't think the Council should have the raise.

Mayor McCallon stated his position has been, and still is, we need to be able to attract younger people to want to be involved in the Council; those who have young children or children away at College, otherwise you're going to have only seasoned veterans or senior citizens. He thinks we need to be able to offer this to anyone who would like to run for Council.

Councilwoman Scott stated she does not think we have had a better Council than the very first Council, who set the ground work for this very frugal and fiscally responsible City. Council service is a public service, this is not a nine to five, five days a week position. If we have this extra money, why don't we play our Planning Commissioners? They put in many hours, and that is all volunteer hours.

Mayor McCallon stated if you look at the budget, the Council's total compensation that is being proposed is less than .5% of the General Fund.

**A MOTION** was made by Councilman Timmer, seconded by Mayor Pro Tem Lilburn, to approve Resolution No. 2013-025 amending Resolution No. 2006-022 establishing personnel system rules and rescinding Resolution No. 2011-026. Motion carried, 4-1, with Councilwoman Scott dissenting.

RESOLUTION NO. 2013-025  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, AMENDING RESOLUTION NO. 2006-022 ESTABLISHING  
PERSONNEL SYSTEM RULES & RESCINDING RESOLUTION NO. 2011-026

21. Ordinance No. 381 Setting the Rate of Compensation for the Highland City Council

Director of Administrative Services Dantuono gave a brief review of the Staff Report.

Councilwoman Scott stated the comments as the previous item. She does not want the City of Highland to ever become a Bell.

Councilman Timmer stated first of all, we are a general law City and we have very strict regulations on what we can be compensated for and what we cannot. We just cannot vote ourselves a huge raise.

Councilwoman Scott stated she knows it's based on population. We could get a part time employee if the Council didn't do anything which would help our citizens more than the Council.

Councilman Racadio stated his feelings are we are still in tough times and we are not ready yet.

**A MOTION** was made by Mayor McCallon, seconded by Mayor Pro Tem Lilburn, to approve Ordinance No. 381 setting the rate of compensation for the Highland City Council as amended. Motion carried, 3-2, with Councilman Racadio and Councilwoman Scott dissenting.

City Clerk Hughes introduced Ordinance No. 381:

ORDINANCE NO. 381  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF HIGHLAND, CALIFORNIA, AMENDING SECTION  
2.04.010, COMPENSATION OF COUNCIL MEMBERS, OF  
THE HIGHLAND MUNICIPAL CODE

which title was read.

22. Natural Parkland and Trail Education Sign Program

City Planner Mainez gave a brief review of the Staff Report.

Councilwoman Scott stated her concern is the vandalism, graffiti and so forth. What kind of protection will the sign have?

City Planner Mainez stated that is in the proposal as well. We want to make sure these were fire resistant and vandal resistant.

Mr. Paul Riha, Stone Imagery, stated the interpretive panels are what is referred to as a high pressure laminate panel. It's a composite of recycled materials with some adhesions that put it all together. They have prescribed removal for graffiti if you use an organic substance such as Simple Green to rinse the paint off. If you use lacquer thinner it will start to cut into the surface. They have a surface that will help resist the graffiti. The stand itself is steel, and if graffiti is placed there it can be cleaned up easily.

Councilwoman Scott asked how long will it take to get it done?

Mr. Paul Riha stated about a three month process.

Councilman Racadio stated regarding the grant, we received \$130,400 from the State's Nature Education and \$37,000 from the San Bernardino County Board of Supervisors. The funds coming from the County, were these funds funneled through the State or did it come directly from the County?

City Planner Mainez stated it came directly from the Board of Supervisors and it was part of funds which were being delegated to their Districts.

**A MOTION** was made by Councilman Racadio, seconded by Councilwoman Scott, to approve the subject Natural Parkland Interpretive Trails Sign Program. Motion carried, 5-0.

23. Bid Award – Bid No. 2013-01, "Purchase of Five New Vehicles"

City Manager Hughes gave a brief review of the Staff Report.

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

1. Award Bid No. 2013-01 to 1) Fairview Ford in the amount of \$73,666.61 for Vehicles No. 1 (2014 F-450 Crew Cab) and No. 2 (2014 F-250 Standard Cab); Raceway Ford in the amount of \$45,830.64 for two Vehicles No. 3 (2014 F-150 Super Cab); and Redlands Ford in the amount of \$24,320.77 for Vehicle No. 5 (2014 Ford C-Max Hybrid HB);
2. Approve budget adjustments 1) transfer \$96,500 from 004-2100 (Gas Tax-Unreserved, undesignated) to 004-8310-6060 (Gas Tax-Vehicles); 2) transfer \$23,500 from 001-2512 (General Fund-Unreserved, designated vehicle replacement) to 001-1450-6060 (General Government-Vehicles); and 3) transfer \$24,500 from 020-2100 (AQMD-Unreserved, undesignated) to 020-8440-6060 (AQMD-Vehicles); and
3. Declare surplus of Public Works 1995 Nissan pick up (City Vehicle #108), Building and Safety 1996 Nissan Pick Up (City Vehicle #109) and Public Works 2001 Diesel Truck (City Vehicle #114). Motion carried, 5-0.

24. Five-Year Capital Improvement Program

City Manager Hughes gave a brief review of the Staff Report.

Mayor McCallon stated he noticed a signal light at Fifth and Central but there's no discussion and it is not on the list of items as well as no cost listed.

Public Works Director/City Engineer Wong stated that signal is part of the Fifth Street Improvement Project between Palm and Victoria.

Councilwoman Scott stated she agrees with all of these, but she just wonders are we going to finish what we start. She keeps looking at the median down Palm and the unfinished work at Boulder and she hates to start any more tear-up and leave without finishing.

City Manager Hughes stated the Boulder Bridge project; we are waiting on some Federal approval of grant monies that we had assumed we would be able to work through the process much quicker. City Engineer Wong has been working very hard to get the funds released, but we cannot do any work till the funds are released. The median on Palm is a developer project and has been installed.

Councilwoman Scott asked we are not going to do anything in the Historic area?

Councilman Timmer stated there's a piece right below Pacific which shows sidewalk work and street widening.

**A MOTION** was made by Councilwoman Scott, seconded by Councilman Racadio, to approve the Five-Year Capital Improvement Program as presented. Motion carried, 5-0.

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

Mayor McCallon gave a brief review of the Staff Report.

**A MOTION** was made by Councilwoman Scott, seconded by Mayor McCallon, to appoint Councilman Racadio as the Voting Delegate, with no Alternate for the Annual Conference to be held September 18-20, 2013, in Sacramento. Motion carried, 5-0.

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

Mayor McCallon stated SANBAG hosted the House TNI panel which had a Hearing on goods movement impacts to Southern California. There were eleven members of the House present from New Jersey, New York, Chicago, Oklahoma and Florida. Mayor McCallon gave opening remarks regarding San Bernardino County suffering from some of the worst air pollutions in the area. They also spoke about Map 21 which designates a freight corridor. He pointed out this disadvantages Southern California specifically, because we have three freeways that transport trucks and freight through this area, the 60, the 210 and the 10, all within about eight miles of each other. SANBAG also will be forwarding to the Board an approval of over \$350,000 in TDA, Article Three grant monies for two projects in Highland.

Mayor Pro Tem Lilburn stated the CEO/General Manager of Omnitrans resigned and they have appointed an interim CEO for the time being.

27. San Bernardino International Airport Authority and IVDA

None

28. Additional CDBG Funding

Mayor Pro Tem Lilburn stated she would like to abstain due to a conflict of interest as her Agency, The Senior Center, received CDBG funds and left the dais.

Economic Development Specialist Stater stated the City was notified last Thursday by the County the City would be receiving an increase in our level of funding, an additional \$54,558 in CDBG funds and they will need the allocation by June 12, 2013. If the Council were to bring up the original allocation from February to the 2012/2013 level, basically making this year's equivalent to last year's, the additional funding each organization would receive is the amount listed in red. This would leave \$48,156 for the City's Public Works programs. This is just a recommendation from Staff, and the Council can provide any amounts within the \$54,558. There is no requirement for a certain percentage to be provided to public service or to Capital Projects.

Mayor McCallon stated his personal view is to go ahead and bring it up to what was funded last year.

**A MOTION** was made by Councilman Racadio, seconded by Councilman Timmer, to allocate the \$54,558 as recommended by Staff to make the allocation amounts equivalent to the 2012/2013 allocation. Motion carried, 4-0, with Mayor Pro Tem Lilburn abstaining.

## **ANOUNCEMENTS**

June 25 at 5:00 p.m.  
July 9 and July 23

Trash Lien Hearing  
Dark – No Council Meetings

## **CLOSED SESSION**

None

## **ADJOURN**

There being no further business, Mayor McCallon adjourned the meeting at 7:05 p.m. in memory of Glenn Brothers.

Submitted By:

Approved By:

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Betty Hughes, MMC  
City Clerk

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Larry McCallon  
Mayor