

**MINUTES  
CITY COUNCIL REGULAR MEETING  
MAY 27, 2014**

**CALL TO ORDER**

The regular meeting of the City Council of the City of Highland was called to order at 6:02 p.m. by Mayor Racadio at the Donahue Council Chambers, 27215 Base Line, Highland, California.

The invocation was given by Reverend Mark Rush of Immanuel Baptist Church and the Pledge of Allegiance was led by City Clerk Hughes.

**ROLL CALL**

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

**REPORT FROM CLOSED SESSION**

No Reportable Action

**SPECIAL PRESENTATIONS**

None

**PUBLIC COMMENT**

None

**CITY COUNCIL CONSENT CALENDAR**

**A MOTION** was made by Councilman Timmer, seconded by Mayor Pro Tem McCallon, to approve the consent calendar as submitted with the exception Item #3 and Item #10. Motion carried, 5-0, on a roll call vote.

1. Waive the Reading of All Ordinances  
Waived the reading of all Ordinances in their entirety and read by title only.
2. Minutes – April 29, 2014 City Council Special Meeting  
Approved the Minutes as submitted.
4. Warrant Register  
Approved Warrant Register No. 584 for May 27, 2014, in the amount of \$635,687.47 and Payroll of \$75,834.46.

5. Claim Consideration – Southern California Edison  
Rejected claim.
6. Claim Consideration – Julie Ceballos  
Rejected claim.
7. Claim Consideration – Marguerite Finneran  
Rejected claim.
8. Street and Drainage Maintenance District 96-14 Annual Report (Fiscal Year 2014/15)
  1. Adopted Resolution No. 2014-014 giving preliminary approval of the Annual Report; and
  2. Adopted Resolution No. 2014-015 setting June 24, 2014, as the date of the protest hearing.
9. Consolidated Landscape and Lighting District 96-1 Annual Report (Fiscal Year 2014/15)
  1. Adopted Resolution No. 2014-016 giving preliminary approval of the Annual Report; and
  2. Adopted Resolution No. 2014-017 setting June 24, 2014, as the date of the protest hearing.
11. Notice of Completion – Bid No. 2013-03, “Olive Street Improvements” (Project No. str09003)
  1. Accepted Bid No. 2013-03, “Olive Street Improvements” (Project No. str09003) as complete;
  2. Authorized the Mayor to sign the Notice of Completion; and
  3. Directed the City Clerk to file the Notice of Completion.

#### **ITEMS REMOVED FROM THE CONSENT CALENDAR**

3. Minutes – May 13, 2014 City Council Regular Meeting  
**RECOMMENDATION:** Approve the Minutes as submitted.  
Bringing back to the next regularly scheduled meeting.
10. Bid Award – Bid No. 2014-03, “City-Wide Concrete Maintenance”

Public Works Director/City Engineer Wong gave background from staff report.

**A MOTION** was made by Councilwoman Scott, seconded by Mayor Pro Tem McCallon, to award the contract for Bid No. 2014-03, “City-Wide Concrete Maintenance” to Above All Names Construction Services, Inc., for an amount not to exceed \$80,000. Motion carried, 5-0.

## CITY COUNCIL PUBLIC HEARING

12. A Request for a Five-Year Extension (EXT 14-001) to the Term of the Development Agreement and Impact Development Agreement between the City of Highland and S-P East Highlands, LLC and S-P Deerfield, LLC for the East Highlands Ranch Planned Unit Development

Mayor Racadio opened the public hearing.

City Attorney Steele stated due to the ownership of his residence being near the project he recommends Mayor Racadio abstain from this item and leave the room.

Mayor Racadio stated he will abstain from this item due to the proximity of his residence to the project.

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

Mr. Camille Bahri, Sunland Communities, spoke regarding this project.

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

Mayor Pro Tem McCallon re-opened the public hearing.

Mayor Pro Tem McCallon called for any additional speakers in favor or in opposition of this item. Seeing none, the public hearing is now re-closed.

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

1. Introduce Ordinance No. 391 approving an amendment to the Development Agreement with Spring Pacific Properties LLC, extending the term of the Development Agreement, and making findings in connection therewith and as recommended in the Staff Report;
2. Introduce Ordinance No. 392 approving an amendment to the Impact Fees Development Agreement with Spring Pacific Properties LC, extending the term and providing further terms and conditions thereof and as recommended in the Staff Report. Motion carried 4-1 with Mayor Racadio abstaining.

City Clerk Hughes introduced Ordinance No. 391:

ORDINANCE NO. 391  
AN ORDINANCE OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING  
AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH S-P EAST  
HIGHLANDS LLC, AND S-P DEERFIELD, LLC, AND MAKING FINDINGS IN  
CONNECTION THEREWITH

which title was read.

City Clerk Hughes introduced Ordinance No. 392:

ORDINANCE NO. 392  
AN ORDINANCE OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING  
AN AMENDMENT TO THE IMPACT FEES DEVELOPMENT AGREEMENT  
WITH SPRING PACIFIC PROPERTIES LLC, EXTENDING THE TERM AND  
PROVIDING FURTHER TERMS AND CONDITIONS THEREOF

which title was read.

13. Public Hearing of the City Council to Consider the "Greenspot Village and Marketplace" Development Agreement (DA-012-004), Design Review Application for Planning Area 1 (DRB 009-003), Design Review Application for Planning Area 2 (DRB 009-004), Tentative Parcel Map No. 19149 (TPM 013-001) and Tentative Parcel Map NO. 19504 (TPM 013-002)

Mayor Racadio opened the public hearing.

City Planner Stater gave a brief review of the staff report.

City Attorney Steele stated while he appreciates Mayor Pro Tem McCallon's desire to keep everything in bite-sized chunks, he is concerned the hearing is on the entire project, and he would rather not worry about trying to repeat facts and things as we go along. So, his recommendation would be to conduct the hearing, hear from the applicant and anyone who is interested in speaking on the project and then take the individual decisions so we have just one record for the entire project.

Mr. Sean Varner, Attorney representing the Greenspot Village Marketplace, spoke regarding the Greenspot Village project and the negotiation of the development agreement.

Mr. Glenn Ellsmann spoke regarding their request for an approval of the Greenspot Village Marketplace project.

Mayor Racadio called for any additional speakers in favor or in opposition of this item, seeing none, the public hearing is closed.

**A MOTION** was made by Mayor Pro Tem McCallon, seconded by Councilwoman Scott, to Adopt Resolution No. 2014-018 to deny Development Agreement 012-004 (DA-012-004). Motion carried, 5-0.

RESOLUTION NO. 2014-018  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, DENYING AN APPLICATION FOR A DEVELOPMENT  
AGREEMENT BY GREENSPOT VILLAGE AND MARKETPLACE, LLC

**A MOTION** was made by Mayor Pro Tem McCallon, seconded by Councilwoman Scott, to Adopt Resolution No. 2014-19 to approve Design Review 009-003 (DRB 009-003) for Greenspot Village and Marketplace Planning Area 1 (PA1), "Highland Marketplace," including the Site Plan, Conceptual Building Elevations, Conceptual Landscape Plan and Conceptual Grading Plan (Exhibit 1 of the Development Agreement). Motion carried, 5-0.

RESOLUTION NO. 2014-019  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, APPROVING DESIGN REVIEW APPLICATION (DRB-009-003)  
FOR GREENSPOT VILLAGE AND MARKETPLACE PLANNING AREA 1 (PA1)

City Attorney Steele stated if the Motion is to not approve the subject Design Review, he would request to give Staff direction to bring back a Resolution of Denial as we will have to make findings in that regard. He wants to make certain if this is the will of the Council, that if some agreement on this issue is reached this could come back, and we call that denying without prejudice if that's the Council's pleasure. He would like to have this as part of the consensus on this issue.

**A MOTION** was made by Councilman Timmer, seconded by Mayor Pro Tem McCallon, to provide direction to Staff to generate the findings for a Resolution to deny Design Review 009-004 (DRB 009-004) for Greenspot Village and Marketplace Planning Area 2 (PA2), "Residential Villages," including the Site Plan, Building Elevations, Conceptual Landscape Plan and Conceptual Grading Plan (Exhibit 2 of the Development Agreement). Motion carried, 5-0.

**A MOTION** was made by Mayor Pro Tem McCallon, seconded by Councilman Timmer, to Adopt Resolution No. 2014-020 to approve Tentative Parcel Map No. 19149 (TPM 013-001) affecting Planning Areas 1, 2 and 3, subject to the Conditions of Approval. Motion carried, 4-1, with Councilwoman Scott dissenting.

RESOLUTION NO. 2014-020  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 19149 (TPM-013-001)

**A MOTION** was made by Councilman Timmer, seconded by Councilwoman Scott, to Adopt Resolution No. 2014-021 to approve Tentative Parcel Map No. 19504 (TPM 013-002) affecting Planning Area 1, subject to the Conditions of Approval. Motion carried, 5-0.

RESOLUTION NO. 2014-021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 19504 (TPM-013-002)

City Attorney Steele stated if we can note that with the exception of the Resolution coming back to you at your next Council meeting regarding the Design Review for PA2, all of the Council's actions this evening are final on this project.

**CITY COUNCIL LEGISLATIVE**

14. Change Order/City Landscape Maintenance District Contract

Public Works Director/City Engineer Wong gave a brief review of the staff report.

**A MOTION** was made by Councilman Timmer, seconded by Councilwoman Lilburn, to authorize a change order, in the amount of \$14,676, to add maintenance LMD Nos. 54 and 61 to the City's LMD contract with CAM Services. Motion carried, 5-0.

15. Resolution No. 022, A Resolution of the City Council of the City of Highland, California, Repealing Resolution No. 1997-056 in its Entirety Establishing Fines for Parking Violations and Administrative Fees for Hearings and Authority to Write Citations

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

**A MOTION** was made by Mayor Pro Tem McCallon, seconded by Councilwoman Scott, to approve and amend Resolution No. 2014-022, a Resolution of the City Council of the City of Highland, California, Repealing Resolution No. 1997-056 in its Entirety Establishing Fines for Parking Violations and Administrative Fees for Hearings and Authority to Write Citations including to raise all fines by \$10 and to modify the 72 hour parking citation to a fine of \$100. Motion carried, 5-0.

RESOLUTION NO. 2014-022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, REPEALING RESOLUTION 97-56 IN ITS ENTIRETY AND  
ESTABLISHING FINES FOR PARKING VIOLATIONS AND ADMINISTRATIVE  
FEES FOR HEARINGS AND AUTHORITY TO WRITE CITATIONS

16. Workshop Relating to Possible Change to District-Based Election

City Attorney Steele gave a brief review of the staff report.

Mayor Racadio called for any speakers regarding this item.

Mr. Armand Mount spoke regarding the possible change to district-based election and his opposition of this item.

Mr. Wayne Brown spoke regarding the possible change to district-based election and his opposition of this item.

It is the consensus of the Council to continue with the process and to give options within the appropriate period of time to make any decisions.

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

Councilwoman Lilburn spoke regarding an Omnitrans update.

18. San Bernardino International Airport Authority and IVDA

None

**ANNOUNCEMENTS**

May 31

Senior Brightwater Living Dedication

**CLOSED SESSION**

None

**ADJOURN**

There being no further business, Mayor Racadio adjourned the meeting at 8:01 p.m. in memory of Kirstin Vannix, Ofelia Dominguez, Christy Rogers, Burton Lawver and Johanna Timmer.

Submitted By:

Approved By:

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Betty Hughes, MMC  
City Clerk

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Sam J. Racadio  
Mayor