

**MINUTES
CITY COUNCIL REGULAR MEETING
AUGUST 25, 2015**

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 Rick York of Immanuel Baptist Church and the Pledge of Allegiance was led by Councilman Racadio.

ROLL CALL

Present: Lilburn, McCallon, Racadio, Scott, Timmer

Absent: None

REPORT FROM CLOSED SESSION

No meeting.

SPECIAL PRESENTATIONS

None

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 submitted with the exception of Item #10 being pulled for further discussion. 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 – August 11, 2015 City Council Special Meeting
Approved the Minutes as submitted.
3. Minutes – August 11, 2015 City Council Regular Meeting
Approved the Minutes as submitted.

4. Warrant Register
Approved Warrant Register No. 608 for August 25, 2015, in the amount of \$1,048,895.54 and Payroll of \$77,865.27.
5. Treasurer's Report for July 2015
Received and filed Treasurer's Report for July 2015.
6. Claim Consideration – William Gibson
Rejected claim.
7. Extension of Tree Trimming and Arborist Service Contract
Approved an extension of the Tree Trimming and Arborist Service Contract with United Pacific Services, Inc., for one year.
8. Extension of Concrete Maintenance Contract
Approved an extension of the Concrete Maintenance Contract with Above All Names Construction Services, Inc., for one year.
9. Final Map Approval/Tract 17682 (Richmond American Homes)
Adopted Resolution No. 2015-033 to:
 1. Approve the Final Map of Tract No. 17682;
 2. Accept the subdivision bonds; and
 3. Authorize the Mayor to sign the standard subdivision agreement.

RESOLUTION NO. 2015-033
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, APPROVING THE FINAL MAP AND SUBDIVISION
AGREEMENT, AND ACCEPTING THE SUBDIVISION BONDS
FOR TRACT NO. 17682 (RICHMOND AMERICAN HOMES)

ITEM PULLED FROM THE CONSENT CALENDAR

10. Summary Vacation of a City Alley

A MOTION was made by Councilwoman Scott, seconded by Councilman Timmer, to:
 1. Adopt Resolution No. 2015-034 ordering the summary vacation of a City Alley located south of Base Line and east of Guthrie Street; and to
 2. Direct the City Clerk to record the resolution. Motion carried, 5-0.

RESOLUTION NO. 2015-034
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND
ORDERING THE SUMMARY VACATION OF PUBLIC RIGHT-OF-WAY
(CITY ALLEY) PURSUANT TO THE AUTHORITY PROVIDED BY
CHAPTER 4, PART 3, DIVISION 9, OF THE
STREETS AND HIGHWAYS CODE

CITY COUNCIL PUBLIC HEARING

11. A Public Hearing to Consider the Appeal of the Public Nuisance Hearing Board's Decision to Uphold Administrative Citation No. 12763 in Accordance with Chapter 2.56 of the Highland Municipal Code, Regarding the Property Located at 27002 Meines Street, Highland, California. Citee/Appellant: Jeanie Stephens. PNHB Case No. 15-001. (Continued from June 23, 2015 City Council Meeting)

Mayor McCallon re-opened the public hearing.

Mayor Pro Tem Lilburn stated she will be abstaining from this item.

Councilwoman Scott stated she will be excusing herself from this item.

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

Building Official Everman gave a brief overview of the property inspection.

Ms. Jody Scott spoke as a representative for the appellant Ms. Stephens.

Mr. Michael Lewis, Attorney, stated he is in attendance representing Ms. Stephens.

Ms. Kimberly Whitner spoke in support of the appellant.

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

A MOTION was made by Councilman Timmer, seconded by Councilman Racadio, to adopt Resolution No. 2015-035 affirming the Public Nuisance Hearing Board's decision to uphold Administrative Citation No. 12763. Motion carried, 3-0, with Mayor Pro Tem Lilburn and Councilwoman Scott abstaining.

RESOLUTION NO. 2015-035
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
HIGHLAND, CALIFORNIA, DECLARING THAT A VIOLATION
EXISTED ON THE PROPERTY LOCATED AT 27002 MEINES
STREET, HIGHLAND, CALIFORNIA ON FEBRUARY 12, 2015,
UPHOLDING ADMINISTRATIVE CITATION NO. 12763,
AFFIRMING PUBLIC NUISANCE HEARING BOARD
RESOLUTION NO. 15-001, AND ORDERING THE APPELLANT
TO ABATE THE VIOLATION (PNHB CASE NO. 15-001)

City Attorney Steele stated let the record reflect this includes the adoption of the Resolution and with that, the City's action on this appeal is final and the time within which judicial review must be sought as governed by Code of Civil procedure Section 1094.6.

Councilwoman Scott left the Council Chambers at 6:34 p.m.

12. Municipal Code Amendment (MCA-015-002) An Ordinance of the City of Highland adding Chapter 5.34 to the Highland Municipal Code, titled Multiple-Family and Other Rental Units, to Establish a Crime Free Multiple-Family Rental-Housing Program [2015/2016 City Council Work Program]. (Continued from August 11, 2015 City Council Hearing

Mayor McCallon opened the public hearing.

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

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

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

1. Adopt a Notice of Exemption and instruct staff to file a Notice of Exemption with the Clerk of the Board of Supervisors of San Bernardino County; and
2. Introduce Ordinance No. 402 adding Chapter 5.34 to the Highland Municipal Code, titled Multiple-Family and other Rental Units, to establish a Crime Free Multiple-Family Rental-Housing Program. Motion carried, 4-0, with Councilwoman Scott being absent.

City Clerk Hughes introduced Ordinance No. 402:

ORDINANCE NO. 402
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
HIGHLAND, CALIFORNIA, ADDING CHAPTER 5.34 TO THE
HIGHLAND MUNICIPAL CODE, TITLED "MULTIPLE-FAMILY AND
OTHER RENTAL UNITS", TO INCLUDE PROVISIONS PERTAINING
TO THE BUSINESS LICENSE REQUIREMENTS AND OPERATION
OF MULTIPLE-FAMILY DWELLING UNITS AND ROOMING
HOUSES (MCA-015-002)

which title was read.

CITY COUNCIL LEGISLATIVE

13. Second Reading of Ordinance No. 400 Amending the Highland Municipal Code to Reorganize the Highland Planning Commission from a Seven Member Board to a Five Member Board

A MOTION was made by Councilman Timmer, seconded by Mayor Pro Tem Lilburn, to conduct a second reading of Ordinance No. 400 amending the Highland Municipal Code, Title 2, Administration, and Title 16, Land Use and Development Code to reorganize the Highland Planning Commission from a seven member Board to a five member Board (MCA-015-001). Motion carried, 3-1, with Councilman Racadio dissenting and also with Councilwoman Scott being absent.

14. Second Reading of Ordinance No. 401 Adding Chapter 15.80 to the City of Highland Municipal Code Relating to Expedited Permitting Procedure for Small Residential Rooftop Solar Systems

A MOTION was made by Councilman Racadio, seconded by Mayor McCallon, to approve the second reading and adopt Ordinance No. 401 adding Chapter 15.80 to the Highland Municipal Code, relating to the expedited permitting of solar systems. Motion carried, 4-0, with Councilwoman Scott being absent.

City Clerk Hughes introduced Ordinance No. 401:

ORDINANCE NO. 401
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ADDING CHAPTER 15.80 TO HIGHLAND MUNICIPAL CODE,
TITLE 15 (BUILDINGS AND CONSTRUCTION), TO PROVIDE AN EXPEDITED,
STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL
ROOFTOP SOLAR SYSTEMS

which title was read.

15. Public Opinion Survey

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

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

1. Award the contract for public opinion polling to Fairbank, Maslin, Maullin, Metz & Associates (FM3);
2. Authorize the Public Safety Tax Ad Hoc Committee to work with staff and the consultant to develop the public opinion polling questionnaire;
3. Authorize the City Manager to sign the Professional Services Agreement subject to review and approval of the City Attorney; and
4. Authorize a budget adjustment of a not-to-exceed \$33,000 (consisting of \$30,000 contract plus a 10% contingency of \$3,000) to be expended from the FY 2015-16 budget line item 001-1000-4554 (City Council-Consultant); and to be transferred from 001-2100 (Undesignated Unreserved-Fund Balance). Motion carried, 4-0, with Councilwoman Scott being absent.

16. Contract Change Order for Fifth Street Storm Drain and Water Pipeline Project (Project No. str07002)

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

A MOTION was made by Councilman Timmer, seconded by Mayor Pro Tem Lilburn, to authorize contract change orders up to 12.5% of the original amount of construction contract with DDH Valley Construction, Inc. Motion carried, 4-0, with Councilwoman Scott being absent.

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

None

18. San Bernardino International Airport Authority and IVDA

None

ANNOUNCEMENTS

October 17

SBIAA Air Show

CLOSED SESSION

None

ADJOURN

There being no further business, Mayor McCallon adjourned the meeting at 6:55 p.m. in memory of Alan Wapner's Dad (City of Ontario), Wanda Burris, Louise Crader, James Nonnemacher and Matthew McPartland.

Submitted By:

Approved By:

Betty Hughes, MMC
City Clerk

Larry McCallon
Mayor