

**MINUTES  
CITY COUNCIL REGULAR MEETING  
JUNE 27, 2017**

**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 Lilburn at the Donahue Council Chambers, 27215 Base Line, Highland, California.

The invocation was given by Pastor Willie Hicks, Harvest Care Church, and the Pledge of Allegiance was led by Councilman Timmer.

**ROLL CALL**

Present: Chavez, Lilburn, McCallon, Solano, Timmer  
Absent: None

**REPORT FROM CLOSED SESSION**

No meeting.

**SPECIAL PRESENTATIONS**

Ms. Nicole Soto, San Bernardino Council of Governments and Ms. Joanna Chang, Southern California Edison, presented the City of Highland with a plaque for achieving Silver in SCE's Energy Leadership Model.

**PUBLIC COMMENT**

Ms. Lori Becker spoke in opposition of the approval of the implementation of a 2% across the board adjustment for all employees and other adjustments.

Mr. Mark Falcone spoke regarding his concerns of the lack of generating sales tax revenue and the lack of a diverse group of businesses in the community.

Mr. Frank Adomitis spoke in regard to the authenticity of the city's financial records.

Ms. Gilda Gularte introduced the newly formed Highland Democratic Club and their goals for the community.

## CITY COUNCIL CONSENT CALENDAR

**A MOTION** was made by Mayor Lilburn, seconded by Councilwoman Solano, to approve the consent calendar as submitted. 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 – June 13, 2017 City Council Regular Meeting  
Approved the Minutes as submitted.
3. Warrant Register  
Approved Warrant Register No. 648 for June 27, 2017, in the amount of \$1,182,559.02 and Payroll of \$81,506.51.
4. Treasurer’s Report for May 2017  
Received and filed Treasurer’s Report for May 2017.
5. Claim Consideration – Mitzi Spencer  
Rejected claim.
6. Agreement with the San Bernardino County Auditor-Controller/Treasurer/Tax Collector for the Collection of Special Taxes, Fees and Assessments for Fiscal Year 2017/2018  
Approved the Agreement with the San Bernardino County Auditor-Controller/Treasurer/Tax Collector for the Collection of Special Taxes, Fees and Assessments for Fiscal Year 2017-2018.
7. Resolution No. 2017-030 Establishing the Annual Special Tax for Community Facilities District No. 90-1 for Fiscal Year 2017/2018  
Adopted Resolution No. 2017-030 establishing the Annual Special Tax for Community Facilities District No. 90-1 for Fiscal Year 2017/2018 and file with the County Auditor-Controller Resolution No. 2017-030 with the tax roll.

RESOLUTION NO. 2017-030  
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 2017/2018

8. Resolution No. 2017-031 Establishing the Annual Special Tax for Community Facilities District No. 2001-1 for Fiscal Year 2017/2018  
Adopted Resolution No. 2017-031 establishing the Annual Special Tax for Community Facilities District No. 2001-1 for Fiscal Year 2017/2018 and file with the County Auditor-Controller Resolution No. 2017-031 with the tax roll.

RESOLUTION NO. 2017-031  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
HIGHLAND, CALIFORNIA, ESTABLISHING THE ANNUAL SPECIAL TAX FOR  
COMMUNITY FACILITIES DISTRICT NO. 2001-01  
FOR THE FISCAL YEAR 2017/2018

9. Resolution No. 2017-032 Establishing the Annual Special Tax for Community Facilities District No. 2007-1 for Fiscal Year 2017/2018  
Adopted Resolution No. 2017-032 establishing the Annual Special Tax for Community Facilities District No. 2007-1 for Fiscal Year 2017/2018 and file with the County Auditor-Controller Resolution No. 2017-032 with the tax roll.

RESOLUTION NO. 2017-032  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
HIGHLAND, CALIFORNIA, ESTABLISHING THE ANNUAL SPECIAL TAX FOR  
COMMUNITY FACILITIES DISTRICT NO. 2007-01  
FOR THE FISCAL YEAR 2017/2018

10. Notice of Completion – Bid No. 2012-02, “Base Line Safety Improvements” (Project No. str08002)
1. Accepted Project No. str08002, “Base Line Safety Improvements,” (Bid No. 2012-02) as complete;
  2. Authorized the Mayor to sign the Notice of Completion; and
  3. Directed the City Clerk to file the Notice of Completion.

**CITY COUNCIL PUBLIC HEARING**

11. Consolidated Landscape and Lighting District 96-1 Annual Report (Fiscal Year 2017/18)

Mayor Lilburn opened the public hearing.

Community Services Manager Morgan stated the item before you is the Annual Report for the Consolidated Landscape and Lighting District. This was previously presented to you at the May 23, 2017 meeting. At that meeting you adopted a resolution preliminarily approving it. This is the public hearing, no items in the report have changed and I have not received any comments or any communication from any residents.

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

**A MOTION** was made by Mayor Pro Tem McCallon, seconded by Councilman Chavez, to approve Resolution No. 2017-033 ordering the continued maintenance of improvements in Consolidated Landscape and Lighting District No. 96-1, confirming the Engineer’s Report and levying the assessment for fiscal year 2017/18. Motion carried, 5-0.

RESOLUTION NO. 2017-033  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, ORDERING THE CONTINUED MAINTENANCE OF  
IMPROVEMENTS IN THE CONSOLIDATED LANDSCAPE AND LIGHTING  
DISTRICT NO. 96-1 AND CONFIRMING THE ENGINEER'S REPORT AND  
LEVYING THE ASSESSMENT FOR FISCAL YEAR 2017/18

12. Street and Drainage Maintenance District 96-1 Annual Report (Fiscal Year 2017/18)

Mayor Lilburn opened the public hearing.

Community Services Manager Morgan stated once again this is the Annual Report for the fiscal year 2017/2018 for the Street and Drainage Maintenance District. This item was also previously presented to you at the May 23, 2017 meeting where you adopted a resolution giving preliminary approval. Nothing in the report has changed and I have not received any comments or communication from any residents.

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

**A MOTION** was made by Mayor Lilburn, seconded by Councilwoman Solano, to approve Resolution No. 2017-034 ordering the continued maintenance of improvements in Street and Drainage Maintenance District No. 96-1, confirming the Engineer's Report and levying the assessment for fiscal year 2017/18. Motion carried, 5-0.

RESOLUTION NO. 2017-034  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, ORDERING THE CONTINUED MAINTENANCE OF  
IMPROVEMENTS IN THE STREET AND DRAINAGE MAINTENANCE  
DISTRICT NO. 96-1 AND CONFIRMING THE ENGINEER'S REPORT  
AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2017/18

13. Collinsworth Property GPA: Requesting a General Plan Amendment (GPA 016-001) and a Change of Zone (ZC 016-001) from Open Space, in Both Designations, to Low Density Residential and Single-Family (R-1-20,000) District Respectively, and the Adoption of a Mitigated Negative Declaration (ENV 016-004) for a 6.4 Acre Parcel

Mayor Lilburn opened the public hearing.

Associate Planner Thornsley stated before us tonight is a request for a general plan amendment for an approximately six acre parcel out on the east side of the city right up against the National Forest area. This property, in the past, has been utilized as part of the egg industry out there. There had been a residence

on the property for a number of decades and that building was destroyed by a fallen tree at one time and the owner never bothered to rebuild the house. The new owner is trying to take the action necessary now to get the general plan amendment and the zone change to take this out of open space and make it into residential (R1) property with minimum lot size of 20,000 square feet. Just for quick reference, as you see on the site plan, I already mentioned where it's at. You can see the odd configuration of this parcel on page six. On page seven, it's showing you the general plan's existing and proposed use and then of course, the zone change, a similar looking map with the zoning designation on there. As an example, on page 9, there's an exhibit showing how they could potentially utilize a portion of that site, the area in the lower corner of that parcel, is where there had been a residence and other out buildings on there in the past. So it is feasible to do something on a portion of the property as there has been in the past. Doing this project requires us to do an environmental evaluation of the property. We found that there would be a few possible constraints that will be addressed when they come forward with a proposal for the development. Primarily they will have to do a biological report and a geotechnical report because those are the two pertinent items that have a bearing on this property in its current location. So there are litigation measures that they must comply with and they will be conditions of the project moving forward. Before I close, I need to bring to your attention that, starting on page 85, inadvertently there are nine more pages attached to this document that don't belong to the official record. When I put this package together to turn it in, I grabbed something that was on my desk and placed it on the back of this staff report. My apologies, I just wanted to clarify so that people don't think it is something that should have been there. With that, staff does recommend the Council adopt the resolution for the Mitigated Negative Declaration and Mitigated Monitoring Reporting Program. Also, that Council adopts the resolution for the General Plan Amendment and introduction of the ordinance to amend the Municipal Code and the City's official Zoning Map. The applicant, Chris Collingsworth, is here if you'd like to ask him any questions.

Councilman Chavez left the dais at 6:23 p.m.

Mr. Chris Collingsworth stated basically the property that I have, I'm looking to put a single family residence for me and my family. We live close by, we're within a mile. We live by Cram Elementary. I've got four kids, they all go to school, barely starting elementary, so kind of what we're looking to do, just put one residence on the lot. It's a really beautiful piece of property. We've cleaned it up a whole bunch if any of you guys are familiar with the property. It doesn't look the same as it used to. The previous owner, he had a lot of stuff and we've hauled off, I gave Tom lists of numerous roll-off bins of trash that we've hauled out of there in cleaning up. When we build the house, we intend to do the same thing. Kind of like Dennis Johnson's property; he took me up and showed me his place and then he wanted to see mine and I showed it to him and he has a really beautiful house up there too. We would do the same thing, just set it up and you know have a nice house on a nice piece of property. I've talked with the

homeowners in the association there too, because I know when they built all them homes in front of mine it was part of the deal that they had to give me access through their community and everything, so they're real nice people. Known them for a while. Some of my friends are on the board there and they give me the key code and clicker and they'd like to see something happen with the property too.

Mayor Pro Tem McCallon stated on the aerial photo, there are a great deal of vehicles on the property.

Mr. Chris Collingsworth stated we've hauled off a bunch of them. We've hauled off tons of vehicles, old equipment, some of the heavier equipment is still there and when we go into the grading we're going to use a dozer or something to push the old equipment onto the trailer. Most of it you can't move with a bobcat but anything that we could have moved we've hauled out of there. Trash and debris, I've done my abatement for weeds for now, but a lot of the stuff on the aerial view has been removed already. The rest will be removed whenever we build on it.

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

Mayor Pro Tem McCallon stated there is this valley in here and I'm concerned. I would hope that when we do something as far as putting a new house in there that the potential flooding issues might, I assume, be addressed and run off down that canyon etc.

Associate Planner Thornsley stated that was brought up at one point and part of what they have to do is a hydrology report. What they have conceptually conceived is that they can put some V ditches around the area that the house would be in to divert the water but ultimately the report that will be required will give them the volumes so they know what to do.

Mayor Pro Tem McCallon inquired as to whether there has been any issue with run off in that area as we've seen?

Associate Planner Thornsley responded not that anyone has brought to my attention. I do see what you're recognizing in the slopes here.

Councilman Timmer stated I'm very familiar with this property. In 2003 when the fire went through there we had several engines there trying to protect those unique items that were on the property and we were successful. I see the zone change will be R-20,000. There is only going to be approved structure on there even though the property is larger than 20,000 square foot. Are they going to be limited just to the one structure?

Associate Planner Thornsley stated currently with R1 you are entitled to one residence on a lot based on the minimum lot size. In this case it's a 20,000 square foot. If they thought they could try to subdivide it they're going to run into complications. Our code also has complications in doing that with this property because of the grades. These grades, once you get passed this basic area down here, make it very difficult and almost unusable for them to do it. So there's some slope analysis.

Councilman Timmer stated the reason I ask is when we developed the project to the east and to the south of that, we developed what they call perimeter facilities to ensure that when wildland fires came off the mountain there was something to defend and now we're going to put a house or a structure on the other side of the fence of improvements. One house hidden by itself is not significant, but if we were looking at putting multiple houses on that property, and I know that they have extremely steep slopes so that'll probably never happen, but I just want to make sure and ask the question that there is going to be one developed structure and the ancillary buildings that go with that.

Associate Planner Thornsley stated that is correct. I did take this to the fire marshal and directly ask the question about is there a fire defensive zone that they will have to incorporate into the design of this, so when they do come in with their application for a home it will be looked at by all parties at the City and I do know fire will be looking for that in particular.

Councilman Timmer stated I know the conditions of approval haven't been developed yet for the project was just doing a zone change essentially at this point but in the grading plan it shows the driveway with slopes of 12%. Normally that is the maximum for a fire truck to negotiate to get up onto that property. I just want to make sure when the final conditions of approval come through that we delineate that the driveway is a maximum amount. It can't be 12% plus a couple of percent or whatever. I think the current standards still are 12% maximum grade for driveways. I think this is going to be a great project. They've cleaned that up and I think it's going to be a tremendous asset to that neighborhood.

**A MOTION** was made by Councilman Timmer, seconded by Mayor Pro Tem McCallon, to:

1. Adopt Resolution No. 2017-035 approving a Mitigated Negative Declaration and Mitigation Monitoring Reporting Program (ENV 016-004) and direct staff to file a Notice of Determination;
2. Adopt Resolution No. 2017-036 approving General Plan Amendment (GPA 016-001) changing the land use designation of the site from Medium Density Residential (MD) to Planned Development (PD); and to
3. Introduce Ordinance No. 416 to amend the Municipal Code and the City's Official Zoning Map, changing the zoning of the site from Open Space to Single-Family (R-1-20,000) District (ZC 016-001). Motion carried, 4-0, with Councilman Chavez being absent.

Councilman Chavez returned to the dais at 6:32 p.m.

RESOLUTION NO. 2017-035

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING A MITIGATED NEGATIVE DECLARATION AND MITIGATION AND MONITORING REPORTING PROGRAM (ENV 16-004) FOR A GENERAL PLAN AMENDMENT (GPA 016-001) AND ZONE CHANGE (ZC 016-001) FROM OPEN SPACE IN BOTH DESIGNATIONS TO LOW DENSITY RESIDENTIAL AND SINGLE-FAMILY (R-1-20,000) DISTRICT RESPECTIVELY ON A 6.4 ACRES PARCEL AT THE WESTERN TERMINUS OF COCHRANE STREET (APN NO. 0297-011-36) IN THE CITY OF HIGHLAND

RESOLUTION NO. 2017-036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT (GPA 16-001), CHANGING THE GENERAL PLAN LAND USE DESIGNATION FROM OPEN SPACE (OS) TO LOW DENSITY RESIDENTIAL (LD) ON APPROXIMATELY 6.4 ACRES TO PERMIT DEVELOPMENT OF A SINGLE FAMILY HOME LOCATED AT THE WESTERN TERMINUS OF COCHRANE STREET (APN NO. 0297-011-36) IN THE CITY OF HIGHLAND

City Clerk Hughes introduced Ordinance No. 416:

ORDINANCE NO. 416

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, AMENDING THE CITY'S OFFICIAL ZONING MAP RELATED TO A 6.4 ACRES PARCEL, LOCATED AT THE WESTERN TERMINUS OF COCHRANE STREET (APN NO. 0297-011-36), FROM OPEN SPACE TO SINGLE FAMILY (R-1-20,000) DISTRICT (ZONE CHANGE ZC 016-011).

which title was read.

14. Purchase and Sale Agreement and Joint Escrow Instructions Related to the Acquisition and Subsequent Sale for Economic Development Purposes of Approximately 21 Acres of Unimproved Vacant Land Owned by the San Bernardino County Flood Control District

Mayor Lilburn opened the public hearing. At this time, it has been requested to continue this item to the August 22, 2017 meeting.

**A MOTION** was made by Mayor Pro Tem McCallon, seconded by Councilman Chavez, to continue this item to the August 22, 2017 City Council hearing, to allow both agencies additional time to finalize the terms of the required Purchase and Sale Agreement. Motion carried, 5-0.



## CITY COUNCIL LEGISLATIVE

15. Bid Award – Bid No. 2017-03, “Base Line & Tuolumne Lane Improvements” (Project No. str16001)

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

**A MOTION** was made by Mayor Pro Tem McCallon, seconded by Councilwoman Solano, to:

1. Approve the project plans and contract specifications; and to
2. Award the construction contract for Bid No. 2017-03, “Base Line & Tuolumne Lane Improvements” (Project No. str16001) to the responsive low bidder, All American Asphalt, in the amount of \$242,192.00. Motion carried, 5-0.

16. Construction Management Services Proposal/Willdan Engineering – Bid No. 2017-03, “Base Line & Tuolumne Lane Improvements” (Project No. str16001)

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

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

1. Approve a Proposal from Willdan Engineering to provide construction management services for Bid No. 2017-03, “Base Line & Tuolumne Lane Improvements” (Project No. str16001); and to
2. Authorize the City Manager to approve contract amendments up to 10% of the proposal amount. Motion carried, 5-0.

17. Design Services Proposal/TKE Engineering, Inc. – Sterling Avenue and Water Street Sidewalk and Bikeway (Project No. swk16001)

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

**A MOTION** was made by Councilwoman Solano, seconded by Councilman Chavez, to:

1. Approve a Proposal from TKE Engineering, Inc. (TKE), to provide design services for the Sterling Avenue and Water Street Sidewalk and Bikeway Project; and to
2. Authorize the City Manager to approve contract amendments up to 10% of the contract amount. Motion carried, 5-0.

18. Design Services Proposal/Engineering Resources of Southern California, Inc., Sector "A" Pavement Management Program

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

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

1. Approve the proposal from Engineering Resources of Southern California, Inc., to provide engineering design services for Section "A" Pavement Management Program; and to
2. Authorize the City Manager to approve contract amendments up to 10% of the contract amount. Motion carried, 5-0.

19. Amendment to Measure I Five-Year Capital Improvement Program (Fiscal Years 2016/2017 through 2020/2021)

**A MOTION** was made by Mayor Pro Tem McCallon, seconded by Councilwoman Solano, to adopt Resolution No. 2017-037 approving Amended Measure I Five-Year Capital Improvement Program (Fiscal Years 2016/2017 through 2020/2011). Motion carried, 5-0.

RESOLUTION NO. 2017-037

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING AMENDED FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR MEASURE I LOCAL STREET PROGRAM FOR FISCAL YEARS 2016/2017 THROUGH 2020/2021

20. Appoint Two Members of the Public to the Building Code Appeals Board

City Clerk Hughes gave a brief review of the staff report and opened the floor for nominations.

**A MOTION** was made by Mayor Lilburn, seconded by Mayor Pro Tem McCallon, to appoint two members of the public, Shawn Burch and Tom Fujiwara, to the Building Code Appeals Board. Motion carried, 5-0.

21. Updates on LAFCO, Omnitrans, SBCOG, SBCTA, SBIAA, SBVMWD, SCAG, SCAQMD, Work Program, Regional/Legislative Issues, Development Issues, Subcommittees and AB 1234/Council Member District Updates

City Manager Hughes gave a brief update on the Mart Fire.

Mayor Lilburn, Councilman Chavez, Councilwoman Solano and City Manager Hughes attended a meeting and tour of the San Manuel Reservation on June 21, 2017.

**ANNOUNCEMENTS**

None

**CLOSED SESSION**

None

**ADJOURN**

There being no further business, Mayor Lilburn adjourned the meeting at 6:56 p.m. in memory of Clifford Wynn and David Sharp.

Submitted By:

Approved By:

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Betty Hughes, MMC  
City Clerk

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Penny Lilburn  
Mayor