

**MINUTES  
REDEVELOPMENT AGENCY AND CITY COUNCIL  
REGULAR MEETING  
MARCH 24, 2009 - 6:00 p.m.**

**CALL TO ORDER**

The regular meeting of the City Council and Redevelopment Agency of the City of Highland was called to order at 6:00 p.m. by Mayor Lilburn at the Donahue Council Chambers, 27215 Base Line, Highland, California.

The invocation was given by Reverend Todd Barnett of Immanuel Baptist Church and the Pledge of Allegiance was led by Mayor Lilburn.

**ROLL CALL**

Present: Jones, McCallon, Scott, Timmer, Mayor Lilburn  
Absent: None

**SPECIAL PRESENTATIONS**

None

**COMMUNITY INPUT**

None

**CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR**

**A MOTION** was made by Councilman Timmer, seconded by Mayor Pro Tem Jones, to approve the consent calendar as submitted with the exception of Item #8 and Item #9 being pulled for further discussion. Motion carried on a roll call vote, 5-0, with Councilman Timmer abstaining from Item #2.

1. Waive the Reading of All Ordinances  
Waived the reading of all Ordinances in their entirety and read by title only.
2. Minutes – February 17, 2009 City Council Joint Special Meeting  
Approved Minutes as submitted.
3. Minutes – February 24, 2009 City Council Regular Meeting  
Approved Minutes as submitted.
4. Minutes – February 24, 2009 RDA Regular Meeting  
Approved Minutes as submitted.

5. Claim Consideration – April Maher  
Rejected claim.
6. Warrant Register  
Approved Warrant Register No. 480 for March 24, 2009, in the amount of \$620,220.93 and Payroll of \$76,014.15.
7. Treasurer's Report for February 2009  
Received and filed Treasurer-s Report for February 2009.
10. Aflac's Flex One Section 125 Plan  
Authorized staff to execute Aflac's Flex One Section 125 Plan.
11. Grant Deeds for Natural Parkland (East Highlands Ranch PUD/DIF Agreement)
  1. Accepted Grant Deeds from S-P East Highlands, LLC, for Natural Parkland totaling approximately ninety-three (93) acres of natural hillside; and
  2. Directed the City Clerk to record said Grant Deeds, as reviewed and approved by the City's Public Works Director/City Engineer.
12. Easement Acceptance/East Highlands Village Street Improvements
  1. Accepted the Grants of Easement for Road and Drainage Purposes from Taher and Azza Shams, Martha Garcia, Cesar Luis Garcia, Ibeth Martha Garcia and Jose Arnold Garcia, and Hector and Henrietta Garcia; and
  2. Directed the City Clerk to record the Grants of Easement.
13. San Manuel Center Landscape Maintenance Agreements  
Approved the two agreements related to landscape maintenance within Caltrans' right-of-way at San Manuel Center.

#### **ITEMS PULLED FROM THE CONSENT CALENDAR**

8. Declaration of Two (2) Vacant Seats on the Planning Commission

Community Development Director Jaquess stated the proposed amendment to the code was adopted and is scheduled to go before the Planning Commission on April 21, 2009. These positions are currently filled by members who may wish to be reappointed to their current positions.

**A MOTION** was made by Mayor Pro Tem Jones, seconded by Councilman McCallon, to declare two (2) seats vacant on the Planning Commission and to direct the City Clerk to advertise the vacancies on the Commission. Motion carried, 5-0.

9. Declaration of One (1) Vacant Seat on the Design Review Board

**A MOTION** was made by Mayor Pro Tem Jones, seconded by Councilman McCallon, to declare one (1) seat vacant on the Design Review Board, and to direct the City Clerk to advertise the vacancy on the Design Review Board. Motion carried, 5-0.

**CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARING**

There was no public hearing.

**CITY COUNCIL/REDEVELOPMENT AGENCY LEGISLATIVE**

15. Public Safety General Tax Election

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

Mayor Lilburn stated she serves on the Public Safety Subcommittee and the Subcommittee members recommended postponing this item for this year.

City Manager Hughes stated he would like to point out the election for the special tax is estimated to cost between \$127,000 and \$141,000. There is a significant cost to the voters. We will be pursuing federal funding for additional deputies and will have to do a joint application with the Sheriff's Department.

**A MOTION** was made by Councilman McCallon, seconded by Councilman Timmer, to not pursue conducting the Public Safety General Tax election on November 3, 2009, and instead to pursue obtaining any available federal grant funds that may be available to enhance public safety services within the City. Motion carried, 5-0.

16. Ordinance No. 338 Adopting the Highland Municipal Code

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

**A MOTION** was made by Councilman McCallon, seconded by Mayor Pro Tem Jones, to Council adopt Ordinance No. 338 adopting the Highland Municipal Code. Motion carried, 5-0.

City Clerk Hughes introduced Ordinance No. 338:

ORDINANCE NO. 338  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, AMENDING SECTION 1.01.060  
OF TITLE 1 OF THE HIGHLAND MUNICIPAL CODE, RELATING  
TO THE ADOPTION OF THE HIGHLAND MUNICIPAL CODE

which title was read.

17. A Request to Reduce or Defer Development Impact Fees and Inclusionary Housing Fees for Property Located at 7263 Olive Street. Applicant: Mr. Mario Arriaga

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

Mr. Mario Arriaga stated he was not given the option of not paying.

Mayor Lilburn inquired when Mr. Arriaga came into City Hall, was he given a list of fees he would be required to pay?

Mr. Mario Arriaga stated yes but it was less money than what is currently required. School fees were listed at \$7,500 and now they are listed as \$12,000.

Mayor Lilburn stated there was a period of time where DIF fees were increased and notice was given in a timely manner to developers who were in the process of building. We extended the fee increase so the developers who were in mid-build could finish the projects.

City Manager Hughes stated on a single family dwelling there is no option on the \$3,750 fee or the applicant would have to construct a low to moderate income home.

Mr. Mario Arriaga stated he is having difficulties getting the fees paid. The house was completed six months ago and his daughter will be residing in the home.

Councilwoman Scott asked how much in fees have been paid thus far?

Mr. Mario Arriaga stated he does not have this information ready but if given time he could have the figures.

Councilman Timmer stated even if Council waives the fees, the general fund will have to pay them; someone will have to pay the fees. He feels the fees should be paid at the time of pulling the building permits.

Councilwoman Scott stated she would like to know exactly how much the applicant has paid the city in fees.

Community Development Director Jaquess stated he would have paid school impact fees, water and sewer impact fees to other agencies; no development impact fees have been paid to the city. The applicant did pay for building permit fees and plan check fees, however, he is not certain what the amounts were.

Councilwoman Scott stated a document stated the applicant had to pay a certain amount by a certain date due to the fact the amount was to be increased. This is why she is questioning why the applicant is being charged the increased fees if his project had already started. The applicant should have been locked into the previous fees before the adopted increase.

Community Development Director Jaquess stated these are the fees stated in the staff report. We have not applied the increased fees that were adopted in January.

**A MOTION** was made by Councilman McCallon, seconded by Councilman Timmer, to require the Applicant to pay Development Impact Fees established by City Council Resolution No. 2007-060 in the amount of \$19,282.56 and pay the City of Highland Inclusionary Housing Fee established by Resolution No. 2006-020 in the amount of \$3,750.00. Motion carried, 5-0.

18. Request from Santa Ana Watershed Project Authority (SAWPA) for Support for the Draft "One Water One Watershed" Integrated Regional Water Management Plan (IRWMP)

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

Councilwoman Scott asked where does the Water Conservation District and Municipal Water District stand on this issue?

Community Development Director Jaquess stated he does not know this information.

Councilman Timmer asked what authority does this agency have in planning and development issues in our watershed? Do they have the ability based on some of these policies they have brought forward? The biggest impact is how does this affect Plan B and our getting closer to the final process.

Community Development Director Jaquess stated the agency originally formed and constructed what is called the grind line which was to take salt water from the San Bernardino River and carry the water to the ocean without running through the river. They were established in a large part to accomplish this. He does not see any impact on Plan B at all from what he can see of their proposal.

**A MOTION** was made by Councilman McCallon, seconded by Councilwoman Scott, to table the Request from Santa Ana Watershed Project Authority (SAWPA) for Support for the Draft "One Water One Watershed" Integrated Regional Water Management Plan (IRWMP) without prejudice. Motion carried, 5-0.

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

None

20. San Bernardino International Airport Authority and IVDA

Community Development Director Jaquess stated a bill was re-introduced by Senator McLeod to reestablish Airport Land Use Conditions and the same exact language is now being proposed again. The County of San Bernardino is pursuing this bill in opposition and last year the City of Highland had indicated a position of opposition as well.

**A MOTION** was made by Councilman McCallon, seconded by Councilwoman Scott, to draft a letter of opposition for SB 737. Motion carried, 5-0.

**ANNOUNCEMENTS**

Mr. Bill Mitchell stated he would like to thank City Council and staff for their work.

March 26 & 27, 2009  
March 28, 2009

City/County Conference, Lake Arrowhead  
Citrus Harvest Festival

**CLOSED SESSION**

None

**ADJOURN**

There being no further business Mayor Lilburn adjourned the meeting at 6:53 in memory of the four officers from the Oakland Police Department: Sergeant Daniel Sakai, Sergeant Mark Dunakin, Sergeant Ervin Romans and Officer John Hege.

Submitted by:

Approved by:

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Betty Hughes, CMC  
City Clerk

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Penny Lilburn  
Mayor