

**MINUTES
CITY COUNCIL REGULAR MEETING
OCTOBER 23, 2012 - 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 Pastor Karsten Polk of Highland Baptist Temple and the Pledge of Allegiance was led by Mayor Pro Tem Lilburn.

ROLL CALL

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

REPORT FROM CLOSED SESSION

No Reportable Action

SPECIAL PRESENTATIONS

None

PUBLIC COMMENT

Mr. Don Yerton stated he owns a rental property on Cypress Avenue. It was inspected in 2009 and he obtained the correct permits and all the work was approved. In September 2012 he started the eviction process with the current tenant. The tenant called Code Enforcement stating there were issues with the property. Code Enforcement did go out to inspect the property and posted a notice to vacate the premises by October 19, 2012. On October 19, 2012, he phoned the Sheriff Department to enforce the notice to vacate. At this time the tenant stated the order to vacate had been lifted. He, as the owner, was not notified of this order. The following Monday he received a call from Code Enforcement informing him he had to get a special permit to repair the items which need to be addressed. He had nothing in writing to inform him of any of this on-going with this his property. He would like to request a hearing regarding this issue.

Mayor McCallon stated Community Development Director will be contacting Mr. Yerton regarding this item.

CITY COUNCIL CONSENT CALENDAR

A MOTION was made by Councilman Racadio, seconded by Mayor Pro Tem Lilburn, to approve the consent calendar as submitted with the exception of Item #6 being rescheduled to a future meeting, with Item #7 being pulled for further discussion and also with Councilwoman Scott abstaining from Item #3. 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 – October 9, 2012 City Council Regular Meeting
Approved the Minutes as submitted.
3. Warrant Register
Approved Warrant Register No. 550 for October 23, 2012, in the amount of \$345,106.49 and Payroll of \$71,672.14.
4. Treasurer's Report for September
Received and filed the Treasurer's Report for September 2012.
5. Selection of an Event Date and Budget for the Seventeenth Annual Citrus Harvest Festival
 1. Selected March 30, 2013, as the event date for the Citrus Harvest Festival with a rain date of April 6, 2013; and
 2. Approved the budget.

ITEMS PULLED FROM CONSENT CALENDAR

6. Nineteenth Annual Highland Community Trails Day Event

Item will be continued to a future meeting.
7. Award of a Professional Services Contract to Stone Imagery for Design, Construct and Install a New Monument Sign, Information Kiosk Sign/Structure, and Interpretive Trail Signs for the City's Natural Parkland and Trail Education Project

Councilwoman Scott stated she would like to inquire about the monthly maintenance charge. She knows these monuments cost money to maintain but she would like to discuss the maintenance charges.

City Manager Hughes stated with any public improvement there are always ongoing maintenance costs. It will be the job of our Public Works crew to go out and if there has been any damage or graffiti to the monument they will abate and repair the monument.

Councilwoman Scott stated by using our Public Works crew it will not run \$500 a month to maintain.

Community Development Director Jaquess stated we do not have any information on the estimate. This contract is two parts; it is a design and a build. They are going to design the guidance of the signage and trail markers but it is something staff believes will make the trail very attractive for people to use.

A MOTION was made by Councilwoman Scott, seconded by Councilman Racadio, to:

1. Award a Professional Service Contract to Stone Imagery to design, construct and install a new Monument Sign, Information Kiosk Sign/Structure, and Interpretive Trail Signs for the City's "Natural Parkland and Trail Education Project" (located on the City's 87 acre Natural Parkland) in an amount not-to-exceed \$98,000.00; and
2. Approve the following Budget Adjustments: Revenue in the amount of \$98,000.00 to be received in 027-9490-9210 (Misc. Grants – State Grants) and Expenditures in the amount of \$98,000.00 to be expended from 027-8490-4554 (Misc. Grants – Consultant). Motion carried, 5-0.

CITY COUNCIL PUBLIC HEARING

8. Appeal Application (APP-012-004) a Request to Overturn the Planning Commission's Determination Requiring the Demolition of an Illegally Constructed and Non-Conforming Room Addition within the City's Business Park (BP) Zoning District

Mayor McCallon opened the public hearing.

Community Development Director Jaquess stated this item before you had two hearings before the Planning Commission and the appeal was of a staff determination to not issue a permit for a room addition on a house in the Business Park zone. Even though the room addition was constructed before the code change, to make houses non-conforming, they could not expand. The applicant had applied for a permit back in early 2000's and there were a couple of issues dealing with fire sprinklers requirements and they could not afford to put in the fire sprinklers which were required so they pulled back and only built a portion of what their plans were. They built a garage which was less than 500 square feet and did not require fire sprinklers. Once the garage was complete they went back and built the room addition without a permit and it has been that way until recently when we found out about the construction during an inspection

for a home occupation permit. The Commission spent a lot of time trying to determine the building permit history and understand what was approved and what was not approved but the ultimate determination was that the construction occurred without a permit. We could not issue a permit today because the zoning does not allow an expansion of a non-conforming use. It allows maintenance, even substantial maintenance based on City Council's policy from about 6 to 8 months ago. The appellant is here to ask the Council for approval to do that expansion given the fact that it was done before the regulations changed.

Councilman Timmer stated as he heard it, they came in to look at getting permits for an expansion; they failed to get a permit and did the improvements anyway.

Community Development Director Jaquess stated they got a permit for a part of the construction. They could have gotten a permit for the room addition but did not because they realized or were told by the City that they would have to do fire sprinklers. They could not afford fire sprinklers so they built it anyway.

Ms. Valadez stated she resides on Court Street and also is the daughter of the appellant. They are here to ask for forgiveness as she knows her Father did the room addition without permits, but it was mentioned he was not financially stable at the time to afford the fire sprinklers. They would like the Council to take into consideration the good will that they did try to do things the right way. But unfortunately, due to the fact the appellant is a Father of six and they have a total of eight people residing in the household, it is really hard for them to get rid of the room because they need the space. They are trying to bring everything up to code and they do not mind to pay as they can afford to pay now. Maybe there are other people in the neighborhood who are trying to do room additions but this is something they did before the code changed. They are asking for forgiveness. They are fully aware they should have done things right from the beginning but due to financial problems they were not able to.

Mayor McCallon called for any speakers in favor of this item, hearing none; he called for speakers in opposition of this item.

Mr. Joseph Mays, Jr. stated he also owns property in Highland and he is in agreement with the appellant. There are some items he has that were probably constructed prior to the code change and he would like to see a change.

Mayor McCallon stated so Mr. Mays is in favor of the appeal.

Mr. Joseph Mays, Jr. stated yes, he is in favor of the appeal.

Mr. Aldo Hernandez stated he is a friend of the appellant. He does not see where the zone was changed or what is going to happen with that area due to budget cuts as this what he has heard. The last thing he knew was that what this area was meant to be is being postponed. He would like the Council to keep this in mind. He read somewhere where we as a whole population should care for one another and he thinks this is one of those things where we have to think about the reality. This could be keeping a lot of families in the area from doing additions or other improvements due to the zoning of the area.

Mayor McCallon closed the public hearing.

Councilman Racadio stated in 1997 they started the room addition but did not get a permit. They received a permit but they did not finish the room, correct?

Community Development Director Jaquess stated not this particular room. They had a different addition in 1997.

Councilman Racadio stated there was an inspection in 2001 for the room in which they did not finish.

Community Development Director Jaquess stated in 2001 it was related to work prior to construction that they did that involves this particular room.

Councilman Racadio stated this particular room though it looks like in 2001 they went to get a permit for three things including a garage but it looks like they, because they were going to have to install fire sprinklers, they just went with the garage and cut that down to 483 feet. Then three years later they came in to get a building permit to build additions. Is this the one we are talking about, the 2004 construction?

Community Development Director Jaquess stated we are not exactly sure when the room addition was constructed based on their letter. It was ten years ago which would be about 2002, so 2004 might have been to do something such a correction, but they did not finish up that action in 2004.

Councilman Racadio stated is February 2004 when we think they built without a permit? When they submitted the plans for the room addition, garage and patio?

Community Development Director Jaquess stated we actually believe it was done prior to that, after the garage was built.

Councilman Racadio stated what normally happens in this situation, where you find a house where they have built an addition without a permit.

Community Development Director Jaquess stated first we determine what the zoning is and whether the construction that occurred can be permitted and if it can then we have them get permits. We then do the necessary work to inspect it to make certain it was built to code and get it approved. In this case because of zoning, the zoning did not allow the expansion, so therefore they could not even go to the building permit phase. It was determined that the use had to be demolished.

Councilman Racadio stated they apparently built it before this ordinance went into effect.

Community Development Director Jaquess stated it appears so, yes.

Councilman Racadio stated so had this been discovered before 2006 they would have been required to do what?

Community Development Director Jaquess stated prior to 2006 they could have gotten a permit and make it legal had they been able to do so.

Councilman Racadio stated what is making this unusual is the May 9, 2006 ordinance?

Community Development Director Jaquess stated yes.

Councilman Racadio stated but they built this addition prior to 2006.

Community Development Director Jaquess stated it appears so based on the records that this did occur in 2002 or 2003, somewhere in this area.

Councilman Racadio stated their house is in, in that neighborhood they are just north of AM/PM, and the house is one of the better kept in that neighborhood. The biggest issue is if not for the 2006 ordinance this would be handled where they would just get a permit and it would be inspected.

Community Development Director Jaquess stated they would bring it up to code. In this case, they would have to go back and retrofit fire sprinklers which would be an expense but that would be normally what we would do if it was a permitted use.

Mayor McCallon stated what caused the inspection that revealed it was not permitted.

Community Development Director Jaquess stated it was an application for a Home Occupation permit where they were going to operate a business out of the home.

Mayor McCallon stated what kind of business?

Community Development Director Jaquess stated he is not sure what type of business they had in mind.

Ms. Valadez stated it was a housekeeping permit that they were trying to get, but they were not going to do anything from the home. That is what they were told to do; in order to get a permit they just had to bring it to the City of Highland.

Community Development Director Jaquess stated they were getting a business license and they had to operate from an address, so they used their home address. So we did an inspection, which we always do, and determined construction had occurred without a permit.

Mayor Pro Tem Lilburn stated so they pulled a permit to build one addition awhile ago and then they came back to pull the other one but realized that they needed fire sprinklers so they didn't build it. When somebody does something like that and they are doing a room addition, do we work with them? Because if you build a room you don't always have to have fire sprinklers put in unless it is over a certain square footage.

Community Development Director Jaquess stated 500 square feet.

Mayor Pro Tem Lilburn stated do we tell them that?

Community Development Director Jaquess stated yes.

Councilman Timmer stated it sounds like, listening to this conversation, that they came in to build a garage and a room expansion and didn't want to deal with the sprinkler ordinance so they just built one so they wouldn't have to address the sprinkler ordinance scaling it down to 483 square feet. Then at some point after that they decided to build the other addition without permits.

Community Development Director Jaquess stated yes.

Councilwoman Scott stated in 1997 they got a permit and let it expire and in 2001 they got a special inspection for that same 490 square foot room addition. So actually in 2001 that 490 square foot addition was built.

Community Development Director Jaquess stated no, that is not correct. That special inspection is just that, it's an inspection, it is not a permit. Following that inspection they submitted plans and in processing the plans, in 2001, it was determined that the plans required sprinklers. They modified their plan so they did not have to do sprinklers which turned out to be the garage. They built the garage based on that permit.

Councilwoman Scott stated she thought sprinklers were required at 100 square feet?

Mayor McCallon stated 500 square feet for an addition to a house.

Community Development Director Jaquess stated if the house already has sprinklers, it is a 55 square foot number. If the addition is more than 55 square feet they have to expand the sprinklers for that, but for a house that does not have sprinklers it is 500 square feet.

Councilwoman Scott stated so basically the porch was 528 square feet but the porch was not covered or enclosed so they did not require fire sprinklers for that one?

Community Development Director Jaquess stated they did not build that porch. Councilwoman Scott stated they did not build a porch, so scratch that 528 but they did build the 231 square foot room addition, correct?

Community Development Director Jaquess stated in 2001 they built a garage, a 483 square foot and that is all they built.

Councilwoman Scott stated okay so a 483 square foot garage is all they built.

Community Development Director Jaquess stated subsequent to that, after that garage was finalized and inspected, then they came back and did a room addition without permits.

Councilwoman Scott stated then that was the 232 square foot. So, the garage is enclosed and it is less than 500 square feet but if it had been just a carport then it wouldn't have required it because the 232 square foot room addition would have been covered. Now when she was reading the staff report, did this project come before the Council, is this one of the ones that came before the Council over the roof?

Community Development Director Jaquess stated no, that was a different case, different property.

Mayor McCallon stated this is a tough case from the stand point of the family involved and he has compassion for that, but the problem we are faced with is we made a zoning decision in our General Plan that puts this particular property and many others in that area as non-conforming structures. So we are faced with a dilemma. If we grant this appeal, then we are making another exception to the non-conforming ordinance so the question we have to decide is, if you're thinking about granting the appeal, do we do away with the non-conforming ordinance or do we change the zoning of that area so that properties are conforming. You shouldn't allow variances, if you will, from ordinances. You either make the ordinance different or don't enforce it. Here is another case: if the

Council decides to uphold the appeal, we are going to tear down some more of the non-conforming ordinance that we have. So that is part of the decision that this Council has to make.

Councilman Racadio stated what Mayor McCallon stated is really the crux of the issue here. They have violated the building codes by not getting the permit and that happens at various times. He remembers in the East Highland area where somebody bought a house and the back was rebuilt illegally. They had to go through the process and ended up getting divorced before following through on it but he doesn't think that is an issue. Had it not been for this ordinance, he thinks staff would handle this and Council wouldn't even be dealing with it because it happens. The issue here is really this ordinance established in 2006 which says that it prohibits further expansion to existing residences for uses within this business district. He looks at this and says why do we do this? Well maybe one day somebody will build a business park there or maybe the airport will or with redevelopment money we might do something. He doesn't see this happening. With redevelopment being gone, he doesn't see it happening. When he looked at this house, there were other houses in the area that were really in bad condition and this house is pretty nice. These people are keeping up their house. He thinks the issue is do we want, what was the purpose of this ordinance in May 2006 and does that still exist, the need for that.

Councilwoman Scott stated if you consider that and she also considered it because she has driven by the house and we say okay we will forget that zoning. We will still have that dilemma of things that were done without inspection and permits. So then are you going to "forgive the fire sprinklers"? Or maybe they didn't have the 16 inch footing that they are supposed to have when on the outside of a piece of property.

Community Development Director Jaquess stated if they were able to get a permit today, we would make sure that we inspected the footings, we inspected the walls, and we inspected the insulation requirements, the electrical; all would be inspected.

Councilman Racadio stated staff will take care of that. The issue is what the Mayor raised and that is the 2006 ordinance.

Councilwoman Scott stated when the zoning was changed all the affected homeowners in the City were sent notices that zoning was going to be changed?

Community Development Director Jaquess stated it was done by legal notices and he can ask City Planner Mainez to come forward who was the project planner on this particular item in 2006 to answer that question. He doubts seriously that we notified every property owner.

Councilwoman Scott stated if it was just a legal notice in the newspaper, not everybody gets a paper.

Mayor McCallon stated as you may recall we had several public meetings before we did the plan update.

Councilwoman Scott stated again, people don't understand.

City Planner Mainez stated he would like to add the item before Council is an item of an appeal to overturn a Planning Commission's determination. The Planning Commission basically said tear down the structure. The notice issue is very important and is a very good question. Aside from the General Plan, the bigger question is, were 300 people, property owners, out there aware of this code and the answer would be no. What staff is trying to do, and has been doing ever since this code was adopted in 2006, is trying to attempt to notify all the property owners of this provision. What is happening is we don't have a good mechanism to record documents on the property. So what we have been doing is, as Code Enforcement cases come up, we have been informing the new buyers as they do their due diligence to be aware that if their property is abandoned for more than six months they will not be able to re-occupy it. They cannot do additions and they cannot do a lot of things. The Council has made a determination over the years, as cases come up, where they tore the entire roof off of structures. Now if that doesn't say extend the life of a property, he doesn't know what does. So that has been an issue of enforcement this last round. So, we fix that and we let everyone know that if you want to rehab, you can take the roof off. The issue tonight is square footage, the added square footage. They added about 232 square feet, half a garage and that is about 20% of their existing square footage. So if you want to go forward, you either modify the policy, you would add on to the fact policy as last time, you can tear off the roof and remodel and now we can say you can also add 20% of your square footage and the code still stays in place. You don't touch the code, we still enforce it but he thinks staff and the City has to do a better job of notifying the property owners so we don't continue getting these appeals every year or every six months. You are going to have another one in about a month or two. Staff is going to recommend as a sidebar that we put this on as a City Council work program item. So you are not going to be able to solve it tonight probably, but just be assured that staff will try to come up with solutions in the next couple of months.

Councilwoman Scott stated she is very concerned about the no notice. At the last Council meeting, the median going up Base Line, because it was continued and will be coming back, she thinks it was thrown back to the Planning Commission. The citizens that are going to be affected by the change, they need to be notified. She is a real stickler on that. She needs to ask another question: the 232 square foot room addition is the one that has absolutely no permits, correct?

Community Development Director Jaquess stated that is correct.

Councilwoman Scott stated so, where is it in relationship to the 490 square foot, is it where there could be a wall knocked out and then they would end up eventually with a 600 or 700 square foot room?

Community Development Director Jaquess stated the garage is a separate building behind the house, it doesn't touch the house.

Councilwoman Scott stated they never did build the other one.

Councilman Timmer stated he sees three issues, not just the one issue as it has been talked about. First off it is pretty obvious the non-conforming issue that we have to work with and the second one is the Planning Commission had extensive review of this process and denied it; so he gives some support to what the Planning Commission has done. They've gone through this process. And the third issue is that he thinks they purposely did it this way to get around the fire sprinkler ordinance and that bothers him. In his mind there was intent to get around the fire sprinkler ordinance and not do permits for the last building. To him that does not show credibility or that they just made a mistake or they weren't notified. There was intent to do this and get around the City ordinance, and now if we choose to say yes, now they can expand that building and we give them the permits. Last time against his vote, said we can rip off roofs which he thought would open a door and here we are with another door opening, and now we are going to say people can expand and we will make it right later. If that is where we are going then we just need to dissolve that overlay and do that, but he thinks it was a good decision when the Planning Commission recommended to this Council to designate that area as Business Park because we know that's the way the growth is going to occur. It may not happen this year, next year or many years but if we keep allowing these buildings to get retrofitted and expand it just makes it more difficult later to make those things happen.

Councilman Racadio stated what was City Planner Mainez speaking of earlier when he stated there were alternatives? It seems to him that Councilman Timmer has hit it on the head too.

City Planner Mainez stated well it would buy us time and buy the applicant time. You can put a stay on their enforcement and when he says solutions, he's talking about re-evaluating the General Plan policy. A lot has changed. Redevelopment is gone, the Airport is having trouble, IVDA and we were at one time going to partner with those agencies to do a specific plan and that from a Staff's perspective gave us a little bit of time. Council was also aware in 2006 that this ordinance may create a Code Enforcement problem and it has. Like he said there are about 300 properties out there that are going to have the same situation. There is about 50 of them right now that we have a list that are about to be told they have to demolish a walkway. The solution is going to be to look at the ordinance and see if we can codify some standards for maintenance and expansion in that area and still preserve the policies of the General Plan. We just have to take a different path.

Mayor Pro Tem Lilburn stated she agrees with Councilman Timmer as we do have a couple issues. One, the non-conforming, and on this Planning Commission decision more importantly is the permitting. There is a process that we go through for the permitting for safety purposes and she believes this is what we really need to look out for. We have these in place for a reason and if you want to bypass it that's fine but any one of us sitting on this dais if this happened in your neighborhood, and she doesn't care it's on the west end, and they were adding and adding and adding we would be throwing a fit. We have laws in place for your protection and for your living protection. That is the key issue here and she understands the non-conforming because things have changed.

Councilman Racadio stated if not for this ordinance, we would not be talking about this because this happens. The issue is this ordinance and it needs to be looked at. Are we really going to do anything without Redevelopment, is the Airport going to do anything out there, he doesn't think so. Are we going to do something, he doesn't think so and we have houses out there that are just getting worse and worse. These people happen to be ones that tend to take care of their house.

Councilman Timmer stated it sounds like Staff has indicated they plan on putting this on the work program to evaluate that, so obviously they have identified an issue and hopefully that will come to us and then we can decide.

Councilwoman Scott stated it's not just the ordinance because you can't look at it just for one piece of property. You're going to have to look at the whole General Plan and all the Business Park designations that we have in the City. She does have a problem and she agrees with Councilman Timmer. We have a superb Planning Commission and they have, according to the staff report, they have addressed this issue in depth. They didn't blow them off; they addressed it in depth, even to the fact to the covered patio and it being done without a permit and the roof thing being changed. She thinks we are skirting City law.

A MOTION was made by Councilman Timmer, seconded by Mayor McCallon, to adopt Resolution No. 2012-039 upholding the Planning Commission's Determination denying the request to permit an illegally constructed and non-conforming room addition, located at 25331 Court Street, within City's Business Park (BP) Zoning District in accordance with the City's Land Use and Development Code Section 16.08.150, Non-conforming Parcels, Uses and Structures. Motion carried, 4-1, with Councilman Racadio dissenting.

CITY COUNCIL LEGISLATIVE

9. Albert A. Webb Associates Professional Service Agreement Change Order No. 2 – Budget Augmentation/Scope of Work to Finish the Environmental Impact Report Document for Harmony Specific Plan (City Council Agreement initially approved on August 2, 2011)

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

A MOTION was made by Councilman Racadio, seconded by Councilman Timmer, to approve Albert A. Webb Associates Change Order No. 2 in the amount not-to-exceed \$63,090.00 (expended work = \$34,610.00 and projected work = \$27,590.00) to complete the subject Specific Plan Environmental Impact Report, and approve City Budget Adjustment of \$63,090.00 to be transferred from 001-2100 (unreserved, undesignated) to 001-4100-4554 (Planning Contract Services – Consultant). Motion carried, 5-0.

10. Re-Establishment of Sphere of Influence for the San Bernardino Valley Water Conservation District

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

Councilman Timmer stated where is Plan B in the process?

Mr. Daniel Cozad, San Bernardino Valley Water Conservation District, stated you will get a letter, probably in the first part of November, with an update on the status. They have submitted a revised map that shows basically the land that will be conserved and the land that will be developed. In short, what he has to say is the deal that was struck many years ago could not be enforced with the Fish and Wildlife Service and so they have been working for a couple of years trying to get a new deal that works for everyone. They expect to have a task force sometime either before the end of the year or the early part of next year and get the group back together again. He expects they will make some progress.

Councilman Racadio stated is there any way possible to receive credits for the mitigation land the City purchased for the Greenspot Bridge?

Mr. Daniel Cozad, General Manager for the San Bernardino Valley Water Conservation District, stated one of the things we have in agreement with Fish and Wildlife Service is that we need to have some flexibility in how we manage acres of land which have habitat on them because you have had to purchase land which you hoped to be in the wash plan. They would very much like to have other agencies put additional land beyond the development requirements into conversation and they are definitely looking at doing that.

A MOTION was made by Councilwoman Scott, seconded by Councilman Racadio, to authorize the Mayor to send a letter to the San Bernardino Valley Water Conservation District supporting the re-establishment of the Sphere of the Influence for the District. Motion carried, 5-0.

11. Budget Adjustments for Fire & Paramedic Departments and Approval of Amendments to Exhibit "E", Schedule A, Fiscal Display to the Cooperative Agreement for Fire Protection Services with the California Department of Forestry & Fire Protection (Cal Fire)

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

A MOTION was made by Councilwoman Scott, seconded by Councilman Racadio, to approve the following budget adjustments to the approved FY 2012-13 budget:

1. Increase line item 028-2050-4567 (Contract Services – Paramedics) by \$86,147 from \$1,117,150 to \$1,203,297;
2. Increase line item 029-2100-4569 (Contract Services – Fire Service) by \$123,079 from \$1,703,930 to \$1,827,009;
3. Increase line item 029-2100-4178 (Operating Transfer Out – Fire Department) by \$86,147 from \$884,790 to \$970,937; and
4. Increase line item 028-2050-9929 (Operating Transfer In – Fire Department) by \$86,147 from 884,790 to \$970,937; and
5. Approve the amended Exhibit "E", Schedule A Fiscal Displays to the Cooperative Agreement between the California Department of Forestry & Fire Protection (Cal Fire) and the City of Highland (attached.) Motion carried, 5-0.

12. Measure I Capital Project Needs Analysis (2013/2014-2017/2018)

City Engineer Wong gave a brief review of the staff report.

Councilwoman Scott asked what is the total cost of the project with the Airport, City of San Bernardino, and the County sharing costs.

City Engineer Wong stated originally the old TIGER project included Fifth Street from the freeway to Del Rosa and then a quarter mile of Del Rosa from Fifth to Third. That project is an \$18 million project and the Federal funds were supposed to pay for \$10 million and the City of Highland, IVDA and City of San Bernardino were going to share the rest of the cost. Now, this project is no longer being done. Staff is still trying to figure out how we can still do some of these improvements. IVDA has agreed to do Fifth Street, west of Victoria. The City of Highland is proposing to do Fifth Street between Victoria and Palm and this project is approximately \$7 million. Staff is proposing this to be done in two phases. Out of the \$7 million, staff is requesting the Council allocate \$2 million development impact fees which will leverage \$2.2 million of Measure I funds and then the rest of the funding would come from RDA bond monies.

A MOTION was made by Councilman Racadio, seconded by Councilwoman Scott to approve Resolution No. 2012-040 adopting the Five-Year Capital Project Needs Analysis (2013/2014-2017/2018) for the Measure I Major Street Program. Motion carried, 5-0.

RESOLUTION NO. 2012-040
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ADOPTING THE FIVE YEAR CAPITAL PROJECT NEEDS
ANALYSIS FOR FISCAL YEARS 2013/2014 THROUGH 2017/2018

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

City Manager Hughes stated Staff is currently working on finalizing the items for the Work Program cycle we are in right now. Staff is also working on putting together a list of new Work Program items which will be presented to Council.

Councilwoman Scott stated she attended the Municipal Water District meeting and will be preparing a report to be distributed to Council.

14. San Bernardino International Airport Authority and IVDA

Councilman Racadio stated on the agenda is to award a bid to JR Miller and Associates, the architect of record on the customs building which is 75% complete.

ANNOUNCEMENTS

October 22 – November 19	Thanksgiving Food Drive
October 23 – 31	Red Ribbon Week
October 26	Arroyo Verde Walk to School Program
October 27	Discover Highland Night
November 8	League of California Cities Dinner
November 17	HIT Clean Up
November 17	Silver Jubilee Celebration
November 26	Blood Drive

CLOSED SESSION

None

ADJOURN

There being no further business, Mayor McCallon adjourned the meeting at 7:18 p.m. in memory of Lela Sinclair.

Submitted By:

Approved By:

Betty Hughes, MMC
City Clerk

Larry McCallon
Mayor