

**MINUTES  
CITY COUNCIL REGULAR MEETING  
NOVEMBER 8, 2016**

**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 Justin McWhorter, 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**

Mayor McCallon presented Brent Merideth with a proclamation for his service on the Community Trails Committee.

**PUBLIC COMMENT**

Mr. James Clayton spoke regarding his concerns for air quality and how subscribing to emails from AQMD can provide valuable information regarding the air quality.

**CITY COUNCIL CONSENT CALENDAR**

City Manager Hughes stated we have a modification to Item #5 regarding the resolution.

Mayor McCallon stated the modified resolution has been provided to Council.

**A MOTION** was made by Councilman Timmer, seconded by Mayor Pro Tem Lilburn, to approve the consent calendar as amended with the modification to the resolution for Item #5. 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 25, 2016 City Council Regular Meeting  
Approved the Minutes as submitted.
3. Warrant Register  
Approved Warrant Register No. 634 for November 8, 2016, in the amount of \$2,080,926.47 and Payroll of \$76,600.71.
4. Proposed Sign Encroachment in Street Right-of-Way at 27727 Base Line (ARCO Gas Station)  
Approved the proposed encroachment of a monument sign in street right-of-way at 27727 Base Line, subject to conditions of approval.
5. Application of CalRecycle Rubberized Pavement Program Grant Funds  
Adopted Resolution No. 2016-059 authorizing submittal of regional applications for CalRecycle Rubberized Pavement Program grant funds.

RESOLUTION NO. 2016-059  
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND  
AUTHORIZING SUBMITTAL OF REGIONAL APPLICATIONS FOR  
CALRECYCLE RUBBERIZED PAVEMENT PROGRAM GRANT FUNDS

6. Professional Services Agreement with Hernandez, Kroone & Associates  
Approved the Professional Services Agreement with Hernandez, Kroone & Associates for traffic engineering services and authorized the Mayor to sign the agreement.

**CITY COUNCIL PUBLIC HEARING**

7. Residential Rental Enhancement Program and Related Business License Regulation Amendments (Municipal Code Amendment MCA-16-002)

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 of this item. Seeing none, Mayor McCallon called for speakers in opposition of this item.

Mr. Fred Yauger spoke in regards to his opposition of this item.

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

Councilwoman Scott stated she has to agree with Mr. Yauger. Self-certify is not in the public safety, health and safety interest. You can drive by and see something, you cannot see what the inside looks like or doesn't look like. You can't see that, especially with a rental whether they have the required smoke detectors, etc. However, if this goes through I would like to see staff give a monthly sheet to the Council that would list the address, property owner, like to have it whether it's a property owner, a local property owner or an absentee landlord, any complaints about that particular property and identify the complaint. If we don't enforce keeping properties up then whole neighborhoods go down. It just takes one or two. Just go down on 14th Street and look at two of them that have been a real problem for four years, five years. It's ridiculous. It needs to be cleaned up and Council needs to be aware. We need to be aware of what's going on and what isn't going on. We get the complaints from citizens but we never know whether or not something has been carried out. So I don't agree with this.

City Attorney Steele stated cities are immune from liability for enforcement cases so that is not a concern. We can add the 30-day return requirements to section 15.52.40 which is on page 3, which is the actual application requirement. We can make the application requirement within 30 days of the commencement of use as a rental or notification from the City, so we send those forms out they have to be returned within 30 days. We can insert that language in that section if that's the Council's pleasure. Right now the failure to get a license is enforceable so we'll just leave that the way it is, but with the 30-day requirement, get it within 30 days in this section on page 3.

**A MOTION** was made by Councilman Timmer, seconded by Councilman Racadio, to introduce Ordinance No. 412 amending Chapter 15.52 (Residential Rental Enhancement Program) of Title 15 (Building and Construction) of the City of Highland Municipal Code to include a provision for property owner self-certification along with other amendments designed to streamline the program process, and to amend Chapter 5.04 (Business License General) of Title 5 (Business Licenses and Regulations) of the Highland Municipal Code to include a revocation and appeals process for residential rental properties as amended. Motion carried, 4-1, with Councilman Scott dissenting.

City Clerk Hughes introduced Ordinance No. 412:

ORDINANCE NO. 412  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, AMENDING CHAPTER 15.52 (RESIDENTIAL RENTAL  
ENHANCEMENT PROGRAM) OF TITLE 15 (BUILDINGS AND  
CONSTRUCTION) AND AMENDING CHAPTER 5.04 (BUSINESS LICENSES  
GENERALLY) OF TITLE 5 (BUSINESS LICENSES AND REGULATIONS) OF  
THE HIGHLAND MUNICIPAL CODE (MCA-16-002)

which title was read.

## CITY COUNCIL LEGISLATIVE

8. Certification of Sufficiency of Referendum Petition Against Ordinance Number 409 and Ordinance Number 410; Direct Staff as to Further Actions

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

Ms. Joyce Schutten spoke in opposition of this item.

Mr. Fred Yauger spoke regarding his preference for a special election and his request for the cost of a special election.

Mr. John Meyer spoke in favor of this item.

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

1. Receive and file the "Certificate of Sufficiency of Signatures on Referendum Petition" declaring the sufficiency of the referendum petitions protesting the adoption of Ordinance Number 409 and Ordinance Number 410;
2. Submit the matter to the Voters at the next regular General Municipal Election which is November 6, 2018; and
3. Directed staff to prepare the necessary documents to reflect the decision of the Council. Motion carried, 5-0.

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

Mayor Pro Tem Lilburn provided a brief update on Omnitrans.

10. San Bernardino International Airport Authority and IVDA

None

## **ANNOUNCEMENTS**

November 10 at 11:00 a.m.

Prime Time Choraliers  
Performance at the Senior Center  
Thanksgiving Dinner – Senior  
Center

November 24

## **CLOSED SESSION**

None

## **ADJOURN**

There being no further business, Mayor McCallon adjourned the meeting at 6:57 p.m. in memory of Tony Dalton, Jr.

Submitted By:

Approved By:

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Betty Hughes, MMC  
City Clerk

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Larry McCallon  
Mayor