

**MINUTES
CITY COUNCIL REGULAR MEETING
OCTOBER 22, 2019**

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 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 Council Member Solano.

ROLL CALL

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

REPORT FROM CLOSED SESSION

No meeting.

SPECIAL PRESENTATIONS

Captain Jon Billings gave a presentation regarding the Highland Police Department including crime statistics, trends, the homeless epidemic and other community issues.

PUBLIC COMMENT

Richard Garcia spoke regarding the landscaping upkeep at the new Jack in the Box location on Base Line and the 210 freeway.

Fred Yauger spoke regarding his appreciation of the pavement management program taking place in his neighborhood and the community.

CITY COUNCIL CONSENT CALENDAR

A MOTION was made by Council Member Chavez, seconded by Mayor Pro Tem McCallon, 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 – October 8, 2019 City Council Regular Meeting
Approved the Minutes as submitted.
3. Warrant Register
Approved Warrant Register No. 693 for October 22, 2019, in the amount of \$1,354,962.09 and Payroll of \$96,472.40.
4. Treasurer's Report for September 2019
Received and filed Treasurer's Report for September 2019.
5. Community Development Block Grant (CDBG) Subrecipient Contract between the City of Highland and Highland District Council on Aging, Inc., to Provide for Senior Services, Transportation Services and Senior Visitation to Low- and Moderate-income Seniors
Approved the contract and authorized execution by the Community Development Director.
6. Extension of City Tree Trimming and Arborist Service Contract
Extended the City Tree Trimming Maintenance and Arborist Service Contract with United Pacific Services, Inc., for one year.

CITY COUNCIL PUBLIC HEARING

7. Public Hearing to Assess Tax Lien on a Public Nuisance in Accordance with Title 8, Chapter 8.32, of the Highland Municipal Code, and Authorize the Tax Lien Thereof, at the Property Located 6987 Del Rosa Avenue, San Bernardino, California, 92404, San Bernardino Tax Assessor's Parcel Number 0273-153-18-0000. PNHB Case No. 19-001

Mayor Lilburn opened the public hearing.

Code Compliance Officer Cox stated what we have before you is just a request for the City Council to hear the resolution and to act upon. What we are asking you this evening is for a decision going forward for a lien on a property at 6987 Del Rosa Avenue. The resolution before you spells out all the different facts of the case and the timeline involved, starting from two years ago up until today. We have made efforts to reduce the amount as required by the Highland Municipal Code and you will notice there was change which was also provided to Mr. Perez. Per Highland Municipal Code we were advised that you cannot lien for an administrative citation. In the resolution it provides a lower amount of \$600 and everybody has been provided that in their packet, including Mr. Perez, which was given to him at the beginning of this meeting.

Council Member Timmer asked if all the cleanup has occurred now or is there still additional work necessary?

Code Compliance Officer Cox stated all the cleanup has occurred.

Mayor Lilburn stated at this time she would like to invite the applicant up if they wish to make comments.

City Manager Hughes stated actually the City is the applicant. Mr. Perez would be a speaker in opposition, he assumes Mr. Perez is the property owner and he assumes it would be in opposition. You've already heard the applicant, so now you can do speakers in favor or in opposition.

Mayor Lilburn stated she has no speakers in favor or in opposition. Would Mr. Perez like to speak and she is assuming Mr. Perez is speaking in opposition. Since he is not an applicant, he is a speaker, does he get three minutes?

City Attorney Marroquin stated no, since he is the property owner whose property is being potentially assessed after this hearing, assuming the City Council at its discretion decides to assess those costs, she thinks it would probably be best to find out from him how long he needs for his presentation.

Mayor Lilburn asked Mr. Perez how long was he looking for his presentation?

Sesario Perez stated he does not know. You may have some questions he would be glad to answer because what we are talking about here is talking from 17 to now. This program has been enforced since 2015...

Mayor Lilburn stated let's say about 15 minutes.

Sesario Perez responded okay, whatever you give me. He's never been here before.

Mayor Lilburn stated the reason she says that is, we have read all the backup documentation.

Sesario Perez stated one of the reasons that he is up here is because in the past years when we had all the recession and so forth we had a lot of people that were losing their houses because they couldn't afford them, especially in the East Highland's Association.

Mayor Lilburn stated we want you to specifically stay on your project. She doesn't want to hear about East Highland, she wants to hear specifically on this project.

Sesario Perez stated the project consists of this. When he came up to the City and to everybody concerned here, he asked them what was the program for us because at this time this was the guidelines. It's not completed, it has changed some but at the time it used to say the San Bernardino County Sheriff homeless and H.O.P.E. program. It changed a little bit when he asked for direction and what they mean, what the people mean by this, he got the one sheet. He didn't get this. This is a definition, a short one, but a definition of what the program

consists of. It says homeless outreach protection team H.O.P.E. is an outreach based program providing service in the field to engage the chronic homeless individuals with mental illness in permanent supporting houses. H.O.P.E. is to conduct outreach events, go into the field and engage the most difficult and hard to reach clients. H.O.P.E. staff works with qualified individuals to complete the necessary application and assessment in the field and, upon receive a housing voucher, will assist individuals to locate and move into housing. H.O.P.E. continues to locate individuals and move them into houses to recover and case management services to the individual needs. A system to recover, get well and regenerate into the community with the ultimate goal of being independent and self-sufficient. This is what it reads and this is what he never got. He didn't know. Then it goes on to show the various services that are available once we put them into housing. Now, when he came here and asked about this, it just so happens that he had a house at 6987 Del Rosa and at the time the lady was ill and passed away. At the same time, Mr. DeCecio, who was Captain of the Sheriff's Department of the City of Highland, came to the East Highland Association and made a presentation because we were having a lot of trouble with some of the people that were transient or squatters. He came and gave a presentation and after the meeting he said any of you that are having any trouble at all please let them know and he had some of his people with him. They took our names and about a month later, he had some people come over to his house. It was Deputy Sheriff Jones, he believes, from the Third Street. He came in with four deputies and with Mr. Dale Everman, with the code enforcement from City of Highland. He came with a representative from what they called the Key program, who was a Vet and a representative from Health and Housing. At that time, everything that was here, this was back in 2015, and some of the people that he had there. He had a lady there and when the other lady passed away and when the police finished doing their talking, and so forth, because it took a month because the lady had passed away and they didn't know the nature of her death, as they found her two days later. So the lady that was there was the first one to ask if she could have that house and that would be her house. In the end, they went in and did the assessment and whatever they had to do to take it back and figure out if they were really necessary and homeless. When they approved that, then they went to the various different agencies. For the veterans they went to the Loma Linda VA, for the other persons they went down to the Housing. Then in reference to that, they found out if the individuals had kids (inaudible) and the only people that were in the house at that time were people that were married and they had children that were only about 12.

Mayor Lilburn stated are you talking about the house on 6987 Del Rosa, was this a rental?

Sesario Perez stated it was a rental but like he said, the lady passed away. When she passed away, they heard about this program and so when the County Sheriff was there he says what are you going to do with this house.

Mayor Lilburn stated you mean your tenant passed away?

Sesario Perez stated uh huh.

Mayor Lilburn stated and then other people moved in?

Sesario Perez stated no, we had a lady there that was a veteran. She was retired and she was living in the back patio that kept getting condemned by the City. It was a little wash room that he built and went to the County and built it when he got out of the service. She was living there so he said yes, she can stay there but she cannot come inside the house because they needed to do the autopsy and do the investigation. To make a long story short, that's where it started when they finished the investigation, they said what are you going to do with the house? He said I'm going to rent it. The lady qualifies for this, they did the assessment, and she qualifies. Her name was the first one, so normally one family will go to each house unless the City makes its own decision as to what they want. Now this program is for the County, not just for the City, came back from federal government, they give you the rent, give you the sign and give you the other services that are going to be provided for the senior citizens for the people that need medical. Some of those people did not have stamps, did not have any money at all coming in except what they made in the streets. So these are things that we are looking at. He brought this to this Council several times. He asked about the street, and he asked to please check the (inaudible). When you went down to see it, it was 17, they had been there two whole years. Now, who put them there because they had permission to be there? They had a voucher from housing saying that they were going to be in housing by the end of 15 and remember in 15, probably in March or February; there was a big one page letter about that big that came in the newspaper. Mission accomplished, not all the homeless, but veteran homeless have all been found shelter for. This lady thought that was her house, and it was, but then somebody started bringing in other homeless and before you know it he had a variety of people in there that were not supposed to be there. The owner of the house when she is already approved by Section 8, the renter, as the owner is himself went to go get his keys back and they would say, now they would say it's just like section 8, you are responsible for that individual as to how (inaudible).

Mayor Lilburn stated so we get the big picture on how this all happened but she thinks we really need for him to address what is in the...

Sesario Perez stated so then he came about that time and addressed (inaudible) because they were having a lot of service calls. He asked about the service calls, now (inaudible) the supervisor was looking at it too. What they did was to have them there and Mrs. Linda (inaudible) was the Human Services in this area. She said how come some of the cities are doing very well, not good, but very well in trying to get the program going and some of the cities are not. She explained it very well and says it's because they don't get involved, so she can't. So they decided and got some more money from the federal government. He doesn't know if any of that money comes to the City of Highland or not. He knows we get a lot of grants but he doesn't know where it all goes. When they say here that he

didn't respond or didn't show up here, (inaudible) you can see some of the things that we talked about. The property owner arrived at City Hall and requested a meeting with Code Enforcement and (inaudible) explained to the Sheriff's Department did not have any agreement or not the County of San Bernardino to care for the homeless at his property. So as a result of that, somebody had to pay for the water. Somebody has to pay for the utilities. Somebody has to pay for that and when the City of Highland goes and gives a citation to the homeless, that's pretty bad.

Mayor Lilburn stated she isn't sure we give the citation to the homeless. She thinks we need to address your property and the citations given to your property and to you.

Sesario Perez stated it is his property he is talking about. When she got a citation, he is the owner of the property, he should get the citation but on the first few citations that were put out to her, it was put out because she was a veteran and he assumes that was her house for this particular program. Do you understand what he is saying?

Mayor Lilburn stated she is okay, just continue on.

Sesario Perez stated here you are talking 17 and he has been talking to everybody concerned. As far as he can, he went to the Water District and he was supposed to get a discount from them, he didn't get the discount. He wasn't supposed to get involved because the police said you don't have the power. Once they take over, he doesn't have the power to say anything. If they go to the hospital, Loma Linda, he can't talk to the social worker and say look have you checked the house to see how it is, the environment, and all this. So the connection is that the program is good, if it works the way it's supposed to, but we have no coordination from one program to the other one. That's why, he says, it's just like a sentence that you have, the program itself is a problem and if you the City doesn't get away with this, it's pretty simple when you put down that some of the cities are supposed to have police, we have Sheriff. The Sheriff (inaudible) where is our security when we say that part of the sheriff don't depend to us, (inaudible)

Mayor Lilburn stated Mr. Perez if you could wrap it up and stay specifically on this item instead of the program. This isn't about the program.

Sesario Perez stated he is saying what caused the problem.

Mayor Lilburn stated she is addressing him, as the property owner. This is what this is about. You own the property. You are directly responsible for its conditions so we need to address that.

Sesario Perez stated so you don't have nothing to do with the Sheriff?

Mayor Lilburn stated this is your property and we are addressing this issue. You are the owner.

Sesario Perez stated if this is his property (inaudible) who gets the citations? We got to have an answer. You can't have it two ways.

Mayor Lilburn stated this is your opportunity, right now, to address this. She can't answer all his questions.

Sesario Perez stated he understands what Mayor Lilburn is saying.

Mayor Lilburn stated so let's just, if you could, just wrap it up.

Sesario Perez stated well, let him just put it this way. Does the City of Highland have a program for homeless?

Mayor Lilburn stated you are straying away. She has to stay on the agenda.

Sesario Perez stated well this is the agenda.

Mayor Lilburn stated she is not addressing the homeless. That isn't her agenda item. She needs to stay on the item at hand.

Sesario Perez stated the agenda is that the house is condemned because of the way all that garbage was in the backyard and in the house. Right now when they went and evicted those people; they could evict them at any time they wanted to, the Sheriff. The City of Highland went and got them out of there so you could have done that back in 14 but why did you wait? Why did we wait two years?

Mayor Lilburn stated she is not sure this is a City problem. This wasn't our responsibility.

Sesario Perez stated it's all our problem, that when we do these things, we need to look at them and investigate and talk about them and sit down.

Mayor Lilburn stated she absolutely agrees but she sees a timeline right here.

Sesario Perez stated do you follow this or has anybody seen it?

Mayor Lilburn stated so are you telling me that you are done talking about this project because she does not want to talk about the CARE program.

Sesario Perez stated do you want him to go list by list. He will go list by list because when (inaudible) and if you look in there, you see that it is directed to the citation to the individual. He is the property owner.

Mayor Lilburn stated she is going to give him another five minutes.

Sesario Perez stated this is something that is very (inaudible) to his heart. The public nuisance violation sent to Delia A. Perez. Who is Delia A. Perez? He is the owner of the house and Sesario C. Perez. Okay, this is the violation that you all sent him on the 10/12/17. That is his daughter, she has nothing to do with the house, and he is the property owner. His wife passed away, so people see this and would you like that? If somebody saw that and said hey, what are you doing, violation property, you know. Most of the things that it is saying and (inaudible) when they turned off the water, who did they address it to? They addressed it to the City of Highland. When they went down to the electrical problem, they were having trouble with the electrical, they advised him the owner of the house, that they call somebody when they took out the electrical meter. So these are the things he is talking about and this is not sufficient then let him know and the first time that the house was cleaned up, was not cleaned up by the City. He did the first two years, he was trying to help the City and he can't hear and (inaudible) it that time he had to show him (inaudible) you know how they change to Burrtec and they say we're going to help you. Then when you told him to clean it up, he went and Burrtec and talked to them and said how much is it going to cost him? Well he says as long as they're not there (inaudible) so when you evicted everybody. At night, the people would come back and sleep in the carport or around there somewhere. He talked to code enforcement and he asked them, he can't start cleaning up if people are going to be there because there might be some trouble. So it wasn't that he wasn't trying to clean it up, it was trying to get those people to stay off. If they came up here, what do you think would have happened if somebody would say well this is mine or the people that have (inaudible) they would have got in trouble. So those are the things, no service calls given to him, that he asked for and he saw them. They were there; the police picking them up says we can't give you nothing. You may check how many times he's been in there; you may check how many times he has been in here and talked to you about the homeless. Bring it on an agenda or bring it into the staff and find out. Did any of you ever go to the house and look at it? Did we know that the property is in the City of Highland? If you got the newspaper and you remember when the newspaper used to be down here and (inaudible) he also got another citation from the County. So when he went to talk to the County, he said who do we pay attention to the County or to the City?

Mayor Lilburn stated she believes the County is weed abatement so it might have been two different issues. County does weed abatement. So Mr. Perez we're going to wrap this up. She is going to have him wrap this up, if he doesn't mind.

Sesario Perez stated let him give one last (inaudible) because it's very important. Remember when the Governor came here in about July, the third or fourth, he reckons. He came out and told the cities; in the paper he said he was looking to reinvent a new committee for the homeless. He was going to try and get some people that knew about the program, and so forth, and try to make it more efficient. That same week, Mr. Ramos, Supervisor Ramos, was here and (inaudible) back here and it was the first time back and he was looking at the problems (inaudible). He said the problem that you told me about, you were going to fix, he still has it. At the same time he talked to Mr. Chavez, he believes, and told Mr. Chavez to look into it and see what's going on. He doesn't know if he did. He called him several times, tried to get an appointment with him and talk to him out here and he was either busy or something. He is pretty sure if you ask him now he will tell you that he was there at the meeting. He knew about the problem and nothing was done. Then he got elected to the Assembly, he got elected and he called him again because he gave some (inaudible) representatives. So this is where he is at. It's not that he doesn't want to do the problem, he didn't want it to get to this level, he was going to clean up the house, and so forth, but he talked to Mr. Cox and said he can't do it with people there. The lady that thinks she was the first one there and it was her house. She keeps coming back. She's sleeping in the carport. She got infected so she went to surgery a second time, then they gave her a bus ticket instead of bringing her home from the hospital and she got lost. The police called him and she had a heart attack. This is the things that happen and now she was lost again. He lost track of her. That's what he is saying. The thing, the program, is good if you got. Now if you look at the paper, it's in your paper that the City of San Bernardino Water Department has given a house to the (inaudible), the City of Redlands got one. The thing is that, in conclusion, that we should have something in writing and bring it up.

Oscar Solares stated he is a friend of Mr. Perez. He thinks the message that he was trying to deliver is that he attempted to do something good by participating in the H.O.P.E. program. Unfortunately, he ended up in a situation where the cohabitation that occurred was mostly homeless people that just converged. He dealt with that so many times, and he really appreciates the stats that were shared with you guys. It's really good to understand all that stuff. What he is looking to do to help him is really just understand what needs to be done. He thinks at this point everything has been mitigated as far as cleaning out and securing the property. The intent is to bring that property back up to standards to make sure that it actually fits into the neighborhood again and then be sold. That's really the intent. He thinks that's really the only answer for this situation right now. The other thing that he wanted to mention is that the citations were posted and mailed. Unfortunately they were mailed to an address that he doesn't reside at. So he wouldn't have been able to take action on those until he actually received a physical notice, just a side note there. If there is anything that they can do to ease this, and make it a much faster process, they are willing to do whatever it takes. It's obviously going to take some money and they're okay with that. They are going to take care of that and make sure things are taken care of,

but really, he wants to make sure that not only they appease the City Council but most importantly that the neighborhood goes back to what it is supposed to be. Understanding what the Captain shared, it's just another opportunity for those things to happen again. So if there's anything they can do to make sure that the City Attorney is okay with what happens and takes place. If there is document they need to sign to be what's called "on the hook" with the City, with timelines and so forth, they would be happy to consider those things and take those on as well.

Mayor Lilburn stated okay, that might be an opportunity for another meeting but this is the agenda item that were dealing with. Community Development Director Mainez will be giving you his card and then you can work with him. There's that saying that no good deed goes unpunished and clearly...

Oscar Solares stated he completely gets it. Real short sidebar here, they work with Path of Life ministries and they know the homeless environment. His partner is on the Board of Directors for them so he completely understands all of the dynamics behind it. He knows what it takes to get things corrected so that's really what he brought to the table.

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

Council Member Timmer stated there were so many things being said but what we're hearing tonight really isn't a homeless issue. We have an issue of debris and trash on the property that was asked to be cleaned up for a long, long time. They failed to comply and the City went in there and cleaned it up. We now have a cost associated with that and we're going to put a lien on the property to recover our costs. The hook is that the property owner still owns the property. He would think his responsibility, if he wants to continue to use that property, would be to address all the public safety issues, the electric and the water issues and get it back into compliance. Then if he wants to make some kind of use for it, whatever he wants to do, and complies with all the City ordinances to keep it safe and the public health issues, he would think the City would want to encourage that. Today we are here addressing the City spent a lot of money cleaning up this property and going through that process and we're asking, for basically, to recoup those costs. To him that's simple, it's really not a homeless issue at all at this point.

Mayor Pro Tem McCallon stated he assumes we mailed those citations to the address of record.

Code Compliance Officer Cox responded yes we did.

City Attorney Marroquin stated just as a reminder, those citations are not being assessed as part of this process. So that item was taken off because under case law we are not permitted to recoup those costs.

Mayor Pro Tem McCallon stated right, the costs aren't included. He just wanted to make sure that we had legally noticed the property.

Mayor Lilburn stated another sidebar to that is once you rent your property out you become a renter. There's a rental application that you fill out so that we know that it is a rental and then your mail can be forwarded to you at additional properties. So it sounds like that could have been done as well.

Council Member Chavez stated he agrees with Council Member Timmer and everybody pretty much. We have seen twenty-five events of this property going through a bunch of stuff, trying to avoid where we are today. He really hopes Mr. Perez does get his property back up and start getting the neighborhood back to where it used to be.

Council Member Solano stated she just wants to echo with what her fellow Council Members said. Moving forward, without repetition if possible, she'd like to move for approval.

Mayor Lilburn asked if she could do all the motions at the same time.

City Attorney Marroquin stated yes, it's adopting the resolution which takes all these actions but just as a reminder, it's the revised resolution which has the revised dollar amount for \$15,910.33.

A MOTION was made by Council Member Solano, seconded by Mayor Pro Tem McCallon, to adopt Resolution No. 2019-045, as amended, taking the following actions:

1. Receive and consider the report of the costs and expenses incurred by the City to abate the Public Nuisance conditions on the above property, together with any objections or protests that may be received;
2. Confirm the costs of abatement as specified in the itemized report, after which an "Order Determining the Costs of Abatement of Public Nuisance" shall be issued in the amount of \$15,910.33. The order shall constitute a Special Assessment against the above property, which will be collected at the same time and in the same manner as ordinance municipal taxes; and
3. Approve the recordation of the attached Notice of Lien for Abatement of Public Nuisance in the Office of the San Bernardino County Recorder; a copy of the Special Assessment Lien shall be filed with the Assessor and Tax Collector of San Bernardino County. Motion carried, 5-0.

RESOLUTION NO. 2019-045
A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HIGHLAND, CALIFORNIA, CONFIRMING THE
COSTS AND EXPENSES INCURRED TO ABATE NUISANCE CONDITIONS
AT 6987 DEL ROSA AVENUE, SAN BERNARDINO, CALIFORNIA

CITY COUNCIL LEGISLATIVE

8. Introduction of an Ordinance of the City Council of the City of Highland, Amending Title 15 of the Highland Municipal Code to Amend Chapter 15.08, "Seismic Hazard Identification Program," Adopting by Reference the 1997 Edition of the Uniform Housing Code in Chapter 15.28, Adopting by Reference the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings in Chapter 15.32, Deleting Chapter 15.29, "International Property Maintenance Code," and Chapter 15.40, "Provisions Governing Relocating Structures," and making a Finding of Exemption Under the California Environmental Quality Act

City Attorney Marroquin stated she just wanted to clarify that the process you are going to see tonight is a little bit different from how you typically see ordinances being introduced. The government code authorizes cities to adopt codes by reference but also sets forth the procedures that have to be followed in order to do that. Government code section 50022.3 provides the process by which the ordinance is read by title only, which is what's going to be the recommendation for tonight, that it be read by title only. Then the City Council schedules a public hearing. The public hearing is going to happen at the next meeting on November 12, assuming you go with the recommendation. She recognizes this is an unusual process, not how we typically do our ordinances, but this is what the state law dictates. So that's the process we're following.

Building Official Gates gave a brief review of the staff report.

A MOTION was made by Mayor Pro Tem McCallon, seconded by Council Member Solano, to:

1. Waive full reading and introduce Ordinance No. 437, as amended, read by title only; and
2. Direct staff to provide for notice of a public hearing on the proposed adoption of Ordinance No. 437 at the November 12, 2019 City Council meeting. Motion carried, 5-0.

City Clerk Hughes introduced Ordinance No. 437

ORDINANCE NO. 437

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, AMENDING TITLE 15 OF THE HIGHLAND MUNICIPAL CODE TO AMEND CHAPTER 15.08 "SEISMIC HAZARD IDENTIFICATION PROGRAM", ADOPTING BY REFERENCE THE 1997 EDITION OF THE UNIFORM HOUSING CODE IN CHAPTER 15.28, ADOPTING BY REFERENCE THE 1997 EDITION OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS IN CHAPTER 15.32, DELETING CHAPTER 15.29 "INTERNATIONAL PROPERTY MAINTENANCE CODE" AND CHAPTER 15.40 "PROVISIONS GOVERNING RELOCATING STRUCTURES," AND MAKING A FINDING OF EXEMPTIONS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

which title was read.

9. Introduction of an Ordinance of the City Council of the City of Highland, Repealing Ordinance No. 411 and Amending Title 8 of the Highland Municipal Code to Delete Chapter 8.20, California Fire Code, and Amending Title 15 of the Highland Municipal Code to Adopt the 2019 California Building Code, Volume I and II, Including Chapter 1, Division II and Appendix H, the 2019 California Fire Code Including Chapter 1, Division II and Appendices I, N and O, the 2019 California Existing Building Code Including Chapter 1, Division II, the 2019 California Residential Code Including Chapter 1, Division II and Appendix V, the 2019 California Electrical Code including Article 89, the 2019 California Plumbing Code Including Chapter 1, Division II, the 2019 California Mechanical Code Including Chapter 1, Division II, the 2019 California Green Building Standards Code Including Chapter 1, Division II, and Together with Certain Amendments Thereto, Adopting Penalties in Chapter 15.44, and Making a Finding of Exemption Under the California Environmental Quality Act

Building Official Gates gave a brief review of the staff report.

A MOTION was made by Council Member Timmer, seconded by Council Member Chavez, to:

1. Waive full reading and introduce Ordinance No.438, read by title only; and
2. Direct staff to provide for notice of a public hearing on the proposed adoption of Ordinance No. 438 at the November 12, 2019 City Council meeting. Motion carried, 5-0.

City Clerk Hughes introduced Ordinance No. 438:

ORDINANCE NO. 438

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, REPEALING ORDINANCE 411 AND AMENDING TITLE 8 OF THE HIGHLAND MUNICIPAL CODE TO DELETE CHAPTER 8.20, CALIFORNIA FIRE CODE, AND AMENDING TITLE 15 OF THE HIGHLAND MUNICIPAL CODE TO ADOPT THE 2019 CALIFORNIA BUILDING CODE, VOLUME I AND II, INCLUDING CHAPTER 1, DIVISION II AND APPENDIX H, THE 2019 CALIFORNIA FIRE CODE INCLUDING CHAPTER 1, DIVISION II AND APPENDICES I, N AND O, THE 2019 CALIFORNIA EXISTING BUILDING CODE INCLUDING CHAPTER 1, DIVISION II, THE 2019 CALIFORNIA RESIDENTIAL CODE INCLUDING CHAPTER 1, DIVISION II AND APPENDIX V, THE 2019 CALIFORNIA ELECTRICAL CODE INCLUDING ARTICLE 89, THE 2019 CALIFORNIA PLUMBING CODE INCLUDING CHAPTER 1, DIVISION II, THE 2019 CALIFORNIA MECHANICAL CODE INCLUDING CHAPTER 1, DIVISION II, THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE INCLUDING CHAPTER 1, DIVISION II, AND TOGETHER WITH CERTAIN AMENDMENTS THERETO, ADOPTING PENALTIES IN CHAPTER 15.44, AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

which title was read.

City Attorney Marroquin stated she would like to correct, for the record, that under the California Fire Code, it's Appendix I.

10. Cooperative Agreement with San Manuel Band of Mission Indians and Inland Valley Development Agency

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

A MOTION was made by Council Member Timmer, seconded by Council Member Solano, to:

1. Approve Cooperative Agreement with San Manuel Band of Mission Indians and Inland Valley Development Agency regarding the 3rd Street and 5th Street Corridors Improvement Project; and
2. Authorize the Mayor to sign the Cooperative Agreement. Motion carried, 5-0.

11. Appoint Two (2) Members of the Public to the Community Trails Committee

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

Mayor Pro Tem McCallon nominated Dr. Robert LaChausse.

Council Member Chavez nominated Jeff Novak.

City Clerk Hughes called for any other nominations. Hearing none, the two nominated members are now appointed.

The City Council unanimously appointed Robert LaChausse and Jeff Novak to the Community Trails Committee.

12. Construction Management Services – Engineering Resources of Southern California

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

A MOTION was made by Council Member Solano, seconded by Mayor Pro Tem McCallon, to:

1. Approve proposal from Engineering Resources of Southern California (ERSC) to provide construction management services for Pavement Rehabilitation in Sectors D (Project No. str19001) in the amount not-to-exceed \$219,955; and
2. Authorize the City Manager to approve contract amendments up to 10% of the proposal amount. Motion carried, 5-0.

13. Design Services Proposal – TKE Engineering, Inc. – Transit Stop Access Improvements (Project Nos. swk19001 & swk19002)

Public Works Director/City Engineer Wong gave a brief review of the staff report. He would like to point out an error in the staff report. Page 2, third paragraph from the bottom, he got the two percentages mixed up. The second sentence, 69.2% should be 50% and then at the end of the same second sentence, the 50% should be changed to 69.2%.

A MOTION was made by Council Member Solano, seconded by Council Member Timmer, to:

1. Approve proposal from TKE Engineering, Inc., to provide design services for the 9th Street Transit Stops, Sidewalk and Bikeway Improvements Project (Project No. swk19001); and the Transit Stop Access Improvements on Base Line, Boulder Avenue, 9th Street and Olive Tree Lane Project (Project No. swk19002); and
2. Authorize the City Manager to approve contract amendments up to 10% of the contract amounts. Motion carried, 5-0.

14. City Manager Report and Comments (Work Program, Regional/Legislative/ Development Issues, Subcommittees, etc.)

City Manager Hughes stated staff is working on an upcoming agenda and this year the City Council meeting falls on Thanksgiving week. He would like to confirm there will be a quorum of the City Council as there may be vacations scheduled for that week.

All Council Members confirmed their attendance at the November 26 meeting.

15. Council Member Comments (Agency/Committee/AB 1234 Reports, District Updates, etc.)

Mayor Pro Tem McCallon stated what a great event the Volunteer Dinner was and a great turn out of attendees. We do not recognize our volunteers every day, which we should, but we try once a year to give them accolades and show our appreciation of them.

Mayor Lilburn stated she would like to remind everyone there is an airshow at the San Bernardino International Airport on November 2 and November 3. The airport also hosted a Chinese delegation which was well attended including the Chinese Ambassador. Also, Shawn Torres, a Highland resident, who is a finalist in a science competition, was sent off with a City of Highland certificate wishing him good luck. She also would like to thank staff for a great Volunteer Recognition Dinner.

ANNOUNCEMENTS

November 16, 11:00-4:00

Discover Highland Night

CLOSED SESSION

None

ADJOURN

There being no further business, Mayor Lilburn adjourned the meeting at 7:46 p.m.

Submitted By:

Approved By:

Betty Hughes, MMC
City Clerk

Penny Lilburn
Mayor