

CITY OF HIGHLAND SPECIAL MEETING OF THE HOUSING AUTHORITY AGENDA

SPECIAL MEETING

February 22, 2022

6:00 p.m.

City Hall

Donahue Council Chambers

27215 Base Line

Highland, California

HOUSING AUTHORITY MEMBERS

LARRY McCALLON, CHAIR

PENNY LILBURN, VICE CHAIR

JESSE CHAVEZ, AUTHORITY MEMBER

ANAELI SOLANO, AUTHORITY MEMBER

JOHN P. TIMMER, AUTHORITY MEMBER

STAFF

Joseph A. Hughes - City Manager/Executive Director

Chuck Dantuono - Director of Administrative Services/City Treasurer

Betty Hughes - City Clerk/Secretary

Lawrence Mainez - Community Development Director/Asst. Executive Director

Carlos Zamano - Public Works Director/City Engineer

Maricela Marroquin - City Attorney/General Counsel

Mark Huebsch - Special Counsel

MISSION STATEMENT

Highland is dedicated to the betterment of the individual, the family, the neighborhood and the community. The City Council and the staff of Highland are dedicated to providing the quality of public facilities and services that its citizens are willing to fund and will do so as efficiently as possible.

Visit the City's Website at: www.cityofhighland.org

The City of Highland complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the City Clerk's Department at (909) 864-6861, ext. 226, at least 72 hours prior to the meeting.

Pursuant to Government Code Section 54957.5, any disclosable public records related to an open session item on a regular meeting agenda and distributed by the City of Highland to all or a majority of the City Council less than 72 hours prior to that meeting are available for public inspection at City Hall, 27215 Base Line, Highland, CA 92346, during normal business hours.

SPECIAL NOTICE REGARDING COVID-19

This meeting is being held in person. Please be advised, facial coverings or masks are required to be worn in the Council Chambers for unvaccinated persons. If you do not have a facial covering or mask, one will be provided to you upon request.

Submission of Public Comments for ITEMS ON THIS AGENDA ONLY: To limit the number of persons in the Council Chambers, the public is encouraged to make public comments by email rather than in person. For those wishing to make public comments by email, please submit your comments by email to be read aloud at the meeting. Email comments must be submitted by 4:30 p.m. on February 22, 2022, to the City Clerk at publiccomment@cityofhighland.org. If you are submitting a public comment pertaining to an item on the February 22, 2022 agenda, please identify the agenda item number in the subject line.

Members of the public will be permitted to make public comments in person.

**SPECIAL MEETING OF THE HIGHLAND HOUSING AUTHORITY
FEBRUARY 22, 2022 – 6:00 p.m. (or soon thereafter)**

AGENDA

CALL TO ORDER

ROLL CALL

PUBLIC COMMENT (LIMITED TO ITEMS ON THIS AGENDA ONLY)

To address the Highland Housing Authority, please complete a speaker form located at the entrance and give it to the City Clerk prior to the beginning of the meeting. Your name will be called when it is your turn to speak. Those wishing to speak on an item ON THE AGENDA will be heard at this time. State Law prohibits the Highland Housing Authority from taking action on any item not on the agenda. Individual speakers are limited to three minutes each.

Comments received via email by February 22, 2022, 5:00 p.m., will be read into the record, provided that the reading shall not exceed three (3) minutes. Email comments submitted by a speaker that also appears in person to address the same matter will not be read into the record.

BUSINESS ITEM

1. Minutes – December 14, 2021 Regular Meeting
RECOMMENDATION: Approve the Minutes as submitted.
2. An Agreement with the Law Offices of Robbins & Holdaway to Provide Special Counsel Services to the Housing Authority
RECOMMENDATION: That the Housing Authority authorize the Chair to approve the agreement.

ADJOURN

I, Betty Hughes, City Clerk, certify I caused to be posted this Agenda on the 17th day of February, 2022, by 5:30 p.m., on our website at www.cityofhighland.org and in the following designated areas:

Highland Branch Library
7863 Central Avenue

Fire Station No. 1
26974 Base Line

City Hall Offices
27215 Base Line

Date: February 17, 2022



Betty Hughes, MMC
City Clerk



STAFF REPORT

TO THE HOUSING AUTHORITY

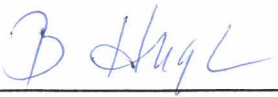
DATE: February 22, 2022

FROM: Joseph A. Hughes, Executive Director

PREPARED BY: Betty Hughes, MMC, Secretary

SUBJECT: Minutes – December 14, 2021 Regular Meeting

RECOMMENDATION: Approve the minutes as submitted.

Approved _____	Motion _____	Second _____	Agenda Item No. <u>1</u>
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		
			
Secretary		Executive Director	

**MINUTES
REGULAR MEETING OF THE HIGHLAND HOUSING AUTHORITY
DECEMBER 14, 2021**

CALL TO ORDER

The regular meeting of the Highland Housing Authority was called to order at 6:41 p.m. by Chair McCallon.

ROLL CALL

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

PUBLIC COMMENT

None

BUSINESS ITEM

1. Minutes – June 8, 2021 Special Meeting

A MOTION was made by Authority Member Solano, seconded by Authority Member Chavez, to approve the Minutes as submitted. Motion carried, 5-0.

2. Minutes – August 24, 2021 Special Meeting

A MOTION was made by Authority Member Solano, seconded by Authority Member Chavez, to approve the Minutes as submitted. Motion carried, 5-0.

3. Resolution Declaring Pursuant to California Government Code § 54221 that the Real Property (APNs 1192-431-04 and -05) Owned by the Authority Located Along the East Side of Central Avenue, South of Base Line, is Designated as Surplus Land and Not Necessary for the Authority's Use at this Time, Finding that such Declaration is Exempt from Environmental Review under the California Environmental Quality Act and Taking Related Actions.

A MOTION was made by Vice Chair Lilburn, seconded by Authority Member Solano, to:

1. Adopt Resolution No. HA2021-002 declaring that pursuant to California Government Code § 54221 that the real property (APNs 1192-431-04 and -05) located along the east side of Central Avenue, south of Base Line, is designated as surplus land and not necessary for the Authority's use at this time, finding that such declaration is exempt from environmental review under the California Environmental Quality Act, and taking related actions; and

2. Direct the Housing Authority Secretary to file a notice of exemption with the San Bernardino County Clerk of the Board of Supervisors. Motion carried, 5-0.

RESOLUTION NO. HA2021-002

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HIGHLAND
HOUSING AUTHORITY DECLARING PURSUANT TO CALIFORNIA
GOVERNMENT CODE § 54221 THAT THE REAL PROPERTY (APNS 1192-
431-04 and -05) LOCATED ALONG THE EAST SIDE OF CENTRAL AVENUE,
SOUTH OF BASE LINE ROAD IS DESIGNATED AS SURPLUS LAND AND
NOT NECESSARY FOR THE AUTHORITY'S USE AT THIS TIME, FINDING
THAT SUCH DECLARATION IS EXEMPT FROM ENVIRONMENTAL REVIEW
UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND
TAKING RELATED ACTIONS

ADJOURN

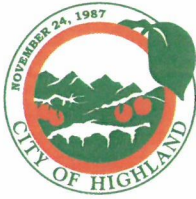
There being no further business, Chair McCallon adjourned the meeting at 6:43 p.m.

Submitted By:

Approved By:

Betty Hughes, MMC
City Clerk

Larry McCallon
Chair



STAFF REPORT

TO THE HOUSING AUTHORITY

DATE: February 22, 2022

FROM: Joseph A. Hughes, Executive Director

PREPARED BY: Lawrence A. Mainez, Assistant Executive Director *Lammy*

SUBJECT: An Agreement with the law offices of Robbins & Holdaway, to provide Special Counsel Services to the Housing Authority

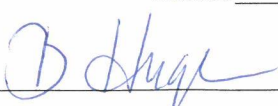
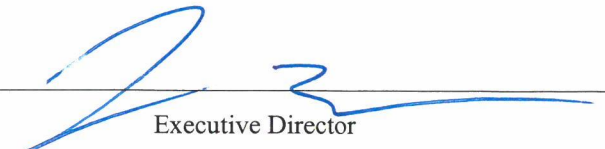
RECOMMENDATION: Staff recommends the Housing Authority authorize the Chair to approve the Agreement.

FISCAL IMPACT: There are no fiscal impacts related to entering this Agreement. Special Counsel services are currently budgeted within the FY 2021-22 and FY 2022-23 Housing Authority Budgets.

PUBLIC NOTICE: The agenda for this item was posted in three places as set forth in the Highland Municipal Code and on the City's Website.

BACKGROUND: On January 3, 2022, the City was notified by Mark Huebsch, Special Counsel to the Authority that he would be leaving the firm of Stradling, Yocca, Carlson, & Rauth (SYCR) on January 31, 2022. On February 2, 2022, the City was contacted by Robbins & Holdaway informing the City that Mark Huebsch had joined their law firm and was interested in continuing to advise the City's Housing Authority. Since 2012, when the Housing Authority formalized a Special Counsel Agreement with SYCR, Mark Huebsch had been the primary representative most knowledgeable in the laws governing Housing Authorities. The Housing Authority staff has benefited from Mark's past advice and we anticipate his continued service will help staff navigate upcoming Housing Authority projects and associated development agreements.

A draft Legal Services Agreement is attached for the Housing Authority review and consideration (see Attachment A – Law Offices of Robbins & Holdaway Legal Service Agreement).

Approved _____	Motion _____	Second _____	Agenda Item No. <u>2</u>
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		
 Housing Authority Secretary		 Executive Director	

ATTACHMENT A

Law Offices of Robbins & Holdaway Legal Services Agreement

Law Offices
ROBBINS & HOLDAWAY
A Professional Corporation

DIANE E. ROBBINS der@robbinsholdaway.com
RICHARD E. HOLDAWAY reh@robbinsholdaway.com

201 WEST "F" STREET
ONTARIO, CALIFORNIA 91762
Telephone (909) 391-9000
Telecopier: (909) 391-9117

February 3, 2022

BY EMAIL AND U.S. MAIL

City of Highland Housing Authority
27215 Baseline Street
Highland, CA 92346

Attn: Joseph Hughes

Re: Legal Services Agreement

Dear Mr. Hughes:

We are very pleased to have the opportunity to provide legal services to the City of Highland Housing Authority ("the HA").

We will advise the HA on transactional and related matters on an "as needed" basis. We write to set forth the terms upon which the Firm will provide legal services to the HA, and the basis upon which we will bill for our services and expenses.

Mark J. Huebsch will serve in the capacity as Special Counsel to the City's Housing Authority and will have primary responsibility for your representation. At any time, we may also use other attorneys, legal assistants, and other law firm personnel as may be helpful in representing your interests. If Mark is unavailable to have primary responsibility over your representation, we will obtain your prior approval before assigning another attorney to the matter.

We will bill you for fees on a monthly basis. When a bill is to be sent, we will review it before it is issued to ensure that the amount charged is appropriate and accurately reflects the services rendered.

Our time will be billed at \$300 per hour. The rates charged to your account will not be changed except upon at least thirty days' notice with your agreement.

In addition, we will bill you for costs in connection with our work for the HA. Such costs include copying documents (\$0.05 page), court fees, litigation costs (if necessary), messenger and delivery services, and other similar costs. Such charges frequently are billed to the firm from third-party vendors. Therefore, there sometimes will be a delay between the time such costs are incurred and the time when they appear on our bill. Please note that we make every effort to be as efficient and cost-effective as possible. For example, we transmit documents by email whenever possible to avoid postage or messenger charges.

If it is necessary for us to travel in conjunction with this representation (for example, to meet personally with City staff or attend City Council/HA meetings), the HA will be charged for our travel.

We agree that you will pay our bills within 30 days of receipt of our billing statement.

The nature of legal representation makes it impossible for us to accurately estimate the total amount of fees and costs that may be incurred over time. We will keep you informed of significant developments in any matter, including those that might have a substantial effect on the costs of this representation. Please feel free to inquire at any time about expected future costs.

We rarely have fee disputes with clients. Nevertheless, you should be aware that the HA is entitled to require that any fee dispute be resolved through the mandatory fee arbitration provisions of the California Business and Professions Code. Many local bar associations have such programs. In the event that you choose not to utilize the County Bar arbitration procedures, you agree that all fee disputes between us shall be submitted to binding arbitration in San Bernardino to be conducted by the American Arbitration Association, in accordance with its commercial arbitration rules. The HA has the right to terminate our representation at any time. We have the same right, subject to our obligations under the California Rules of Professional Conduct that apply to attorneys licensed by the State Bar. If the HA elects to terminate the Firm, we will be paid all fees and costs incurred prior to the termination within 30 days after delivery of a final bill of services.

We are also required to inform you that we currently maintain professional liability insurance.

Our legal relationship and the terms of this agreement will be governed by the substantive laws of the State of California

In order for the Firm to work on this matter, please sign and return a copy of this engagement letter to me.

I look forward to working with you and the HA.

Very truly yours,



DIANE E. ROBBINS

Agreed and Accepted:

City of Highland Housing Authority

Date: _____

By: _____

Title: _____