

**MINUTES  
CITY COUNCIL REGULAR MEETING  
JUNE 13, 2023**

**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 Tracy Johnson, Immanuel Baptist Church, and the Pledge of Allegiance was led by Mayor Pro Tem Lilburn.

**ROLL CALL**

Present: Lilburn, McCallon, Solano, Timmer  
Absent: Chavez-Cordova

**REPORT FROM CLOSED SESSION**

None

**SPECIAL PRESENTATIONS**

Mayor McCallon presented a Proclamation proclaiming the month of June as Fatherhood Awareness Month.

**PUBLIC COMMENT (ITEMS NOT ON THE AGENDA)**

Christian Flores spoke regarding issues with internet and cable practices by management at Fairway Mobile Estates.

City Clerk Hughes read public comment received from Doug Ingmire regarding handicap parking violations throughout the city.

**LATE ITEM TO ADD TO THE AGENDA**

City Clerk Hughes stated it was brought to our attention yesterday [June 12, 2023] that Senator Bogh's office is seeking the city's position on AB 349. It is staff's understanding that the item will be voted upon this week.

**A MOTION** was made by Council Member Timmer, seconded by Mayor McCallon, to add Item No. 44 to the agenda. Motion carried, 3-0, with Council Member Chavez-Cordova being absent and Mayor Pro Tem Lilburn abstaining due to a conflict of interest.

## CITY COUNCIL CONSENT CALENDAR

**A MOTION** was made by Council Member Solano, seconded by Council Member Timmer, to approve the consent calendar as submitted. Motion carried on a roll call vote, 4-0, with Council Member Chavez-Cordova being absent.

1. Waive the Reading of All Ordinances  
Waived the reading of all Ordinances in their entirety and read by title only.
2. Minutes – May 9, 2023 City Council Regular Meeting  
Approved the Minutes as submitted.
3. Minutes – May 16, 2023 City Council Special Meeting  
Approved the Minutes as submitted.
4. Warrant Register  
Approved Warrant Register No. 754 for June 13, 2023, in the amount of \$1,792,494.91 and Payroll of \$334,132.49.
5. Treasurer’s Report for April 2023  
Received and filed Treasurer’s Report for April 2023.
6. Claim Consideration – Araceli Fuentes  
Rejected claim.
7. Claim Consideration – Amit Anand  
Rejected claim.
8. Claim Consideration – Sylvia Horner  
Rejected claim.
9. Claim Consideration – Johnathan Nieves  
Rejected claim.
10. Claims Consideration – Michelle Aurora Mendoza, Pierre Anthony Luna and Santiago Luna  
Granted the Applications for Leave to Present Late Claims and rejected the claims.
11. Claims Consideration – Becki De Lloyd and Andrew De Lloyd  
Rejected claim.
12. Declare One (1) Seat Vacant on the Community Trails Committee
  - 1) Declared one (1) seat vacant on the Community Trails Committee; and
  - 2) Directed the City Clerk to advertise the vacancies on the Community Trails Committee.

- 13. Resolution No. 2023-019 Confirming the Authority of the City Treasurer pursuant to Government Code Section 53607  
Adopted Resolution No. 2023-019 confirming the authority of the City Treasurer pursuant to Government Section 53607.

RESOLUTION NO. 2023-019  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, CONFIRMING THE AUTHORITY OF THE CITY TREASURER,  
PURSUANT TO GOVERNMENT CODE SECTION 53607

- 14. Resolution No. 2023-020 Establishing the Appropriations Limit for Fiscal Year 2023/2024 for the City of Highland in Accordance with the Provisions of Division 9 of Title 1 of the California Government Code  
Adopted Resolution No. 2023-020 establishing the Appropriations Limit for Fiscal Year 2023/2024 for the City of Highland in accordance with the provisions of Division 9 of Title 1 of the California Government Code.

RESOLUTION NO. 2023-020  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL  
YEAR 2023/2024 FOR THE CITY OF HIGHLAND IN ACCORDANCE WITH THE  
PROVISIONS OF DIVISION 9 OF TITTLE 1 OF THE CALIFORNIA  
GOVERNMENT CODE

- 15. Resolution No. 2023-021 Rendering the Annual Statement of Investment Policy for Fiscal Year 2023/2024  
Adopted Resolution No. 2023-021 rendering the Annual Statement of Investment Policy for Fiscal Year 2023/2024.

RESOLUTION NO. 2023-021  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, ADOPTING THE ANNUAL STATEMENT OF INVESTMENT  
POLICY FOR FISCAL YEAR 2023/2024

- 16. Resolution No. 2023-022 Establishing Personnel System Rules, Amending and Superseding all Prior Resolutions  
Adopted Resolution No. 2023-022 establishing personnel system rules, amending and superseding all prior resolutions.

RESOLUTION NO. 2023-022  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, AMENDING AND SUPERSEDING ALL PRIOR RESOLUTIONS,  
ESTABLISHING PERSONNEL RULES AND REGULATIONS

- 17. Resolution No. 2023-023 Implementing on July 1, 2023, a 5% Across-the-Board Adjustment for All Employees and Implementing on July 1, 2024, a 5% Across-the-Board Adjustment for All Employees and Other Adjustments  
Adopted Resolution No. 2023-023 implementing on July 1, 2023, a 5% across-the-board adjustment for all employees (except interns) and implementing on July 1, 2024, a 5% across-the-board adjustment for all employees (except interns) and other adjustments.

RESOLUTION NO. 2023-023  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, ESTABLISHING EMPLOYEE SALARIES

- 18. Resolution No. 2023-024 Amending the City of Highland Premium Only Plan  
Adopted Resolution No. 2023-024 amending the City of Highland Premium Only Plan.

RESOLUTION NO. 2023-024  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, AMENDING THE CITY OF HIGHLAND PREMIUM ONLY PLAN

- 19. Gift Policy  
Approved the amended Gift Policy.
- 20. San Manuel Community Grant Fund Restricted Grant Agreement  
Authorized the City Manager to sign the San Manuel Community Credit Fund Restricted Grant Agreement with San Manuel Band of Mission Indians pertaining to a Multi-Purpose Fire Training Structure to be constructed at Fire Station No. 3.
- 21. Resolution No. 2023-025 Approving a Wildland Protection Agreement (WPA) with the State of California for Fiscal Year 2023/2024  
Adopted Resolution No. 2023-025 approving the Department of Forestry and Fire Protection (Cal Fire) Wildland Protection Agreement (WPA) for July 1, 2023 – June 30, 2024.

RESOLUTION NO. 2023-025  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, APPROVING THE DEPARTMENT OF FORESTRY AND FIRE  
PROTECTION (CAL FIRE) WILDLAND PROTECTION AGREEMENT (WPA)  
FOR JULY 1, 2023, TO JUNE 30, 2024

- 22. Cooperative Fire Protection Agreement (Automatic Aid Agreement) between the City of Highland and the U.S. Forest Service  
Authorized the Mayor and Cal Fire Chief Ron Janssen to execute the Cooperative Fire Protection Agreement on behalf of the City.

23. Agreement with the San Bernardino County Auditor-Controller/Treasurer/Tax Collector for the Collection of Special Taxes, Fees and Assessments for Fiscal Year 2023/2024

Approved the Agreement with the San Bernardino County Auditor-Controller/Treasurer/Tax Collector for the Collection of Special Taxes, Fees and Assessments for Fiscal Year 2023/2024.

24. Resolution No. 2023-026 Establishing the Annual Special Tax for Community Facilities District No. 90-1 for Fiscal Year 2023/2024

Adopted Resolution No. 2023-026 establishing the Annual Special Tax for Community Facilities District No. 90-1 for Fiscal Year 2023/2024 and file with the County Auditor-Controller Resolution No. 2023-026 with the tax roll.

RESOLUTION NO. 2023-026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, ESTABLISHING THE ANNUAL SPECIAL TAX FOR  
COMMUNITY FACILITIES DISTRICT NO. 90-1 FOR FISCAL YEAR 2023/2024

25. Resolution No. 2023-027 Establishing the Annual Special Tax for Community Facilities District No. 2001-01 for Fiscal Year 2023/2024

Adopted Resolution No. 2023-027 establishing the Annual Special Tax for Community Facilities District No. 2001-01 for Fiscal Year 2023/2024 and file with the County Auditor-Controller Resolution No. 2023-027 with the tax roll.

RESOLUTION NO. 2023-027

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, ESTABLISHING THE ANNUAL SPECIAL TAX FOR  
COMMUNITY FACILITIES DISTRICT NO. 2001-01 FOR THE FISCAL YEAR  
2023/2024

26. Resolution No. 2023-028 Establishing the Annual Special Tax for Community Facilities District No. 2007-01 for Fiscal Year 2023/2024

Adopted Resolution No. 2023-028 establishing the Annual Special Tax for Community Facilities District No. 2007-01 for Fiscal Year 2023/2024 and file with the County Auditor-Controller Resolution No. 2023-028 with the tax roll.

RESOLUTION NO. 2023-028

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, ESTABLISHING THE ANNUAL SPECIAL TAX FOR  
COMMUNITY FACILITIES DISTRICT NO. 2007-01 FOR THE FISCAL YEAR  
2023/2024

27. Resolution No. 2023-029 Authorizing the Levy of a Special Tax in Community Facilities District No. 2022-01 (Mediterra) for Fiscal Year 2023/2024  
Adopted Resolution No. 2023-029 authorizing the levy of a special tax in Community Facilities District No. 2022-01 (Mediterra) for Fiscal Year 2023/2024.

RESOLUTION NO. 2023-029

A RESOLUTION OF THE CITY OF HIGHLAND, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-01 (MEDITERRA), AUTHORIZING THE LEVY OF A SPECIAL TAX IN COMMUNITY FACILITIES DISTRICT 2022-01 (MEDITERRA) FOR FISCAL YEAR 2023/2024

28. Contract Renewal - Bid No. 2020-01, "Facilities and Parks Landscape Maintenance Contract"  
Extended the Facilities and Parks Landscape Maintenance agreement with RP Landscape & Irrigation, Inc.
29. Contract Award - Bid No. 2023-04, "Landscape Maintenance Districts"  
Awarded the contract for Landscape Maintenance Districts to the responsive low bidder, RP Landscape & Irrigation, Inc., in the amount of \$234,447.00.
30. KOA Contract 2nd Amendment for Professional Services – City Creek/Alabama Street Bikeway Project (Project No. str17001)  
Approved a second contract amendment to the Professional Services Agreement with KOA Corporation (KOA) to extend the term of the contract until the City Creek/Alabama Street Bikeway Project is completed.
31. Easement Acceptance/CHIPT Highland 210, L.P. for "American Rentals" Facilities Project (Adjacent Easterly to 27111 5th Street)  
1) Accepted the Grant of Easement for Road and Drainage purposes from CHIPT Highland 210, L.P.; and  
2) Directed the City Clerk to record the Grant of Easement.
32. Fiscal Year 2023/2024 Senate Bill 1 Project List  
Adopted Resolution No. 2023-030 approving the list of projects for Fiscal Year 2023/2024 funded by SB 1: The Road Repair and Accountability Act of 2017.

RESOLUTION NO. 2023-030

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2023/2024 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

33. Hernandez, Kroone & Associates – Professional Services Contract Addendum No. 2
- 1) Approved Addendum No. 2 to Professional Services Contract with Hernandez, Kroone & Associates to reflect a change in the billing rate schedule; and
  - 2) Authorized the Mayor to sign the Addendum.

### **CITY COUNCIL PUBLIC HEARING**

34. Public Hearing and Consideration of the Adjustment in the Residential and Commercial Refuse Collection Rates and Annual Property Tax Roll Billing in Accordance with the Current Franchise Agreement dated August 1, 2018

Mayor McCallon opened the public hearing.

Public Services Manager Morgan stated the item before everyone is the annual Protest Hearing for the Solid Waste Rate Adjustment and the placement of the annual residential charges on the property tax roll.

On February 28, 2023, staff received a timely request for a rate adjustment from Burrtec. On April 11, 2023, staff presented to the Public Works Subcommittee Burrtec's proposal for rate increases for residential and commercial rates to include a cost-of-living adjustment, an adjustment to the disposal components, an adjustment in recycling processing fees, and the program administrative fee to conduct certain provisions of the Senate Bill 1383 (SB1383) mandate requirements. The result adjusts the residential rate from \$33.29 to \$33.95 per month, which is a 66-cent increase. This is an annual increase of \$7.92. The senior rate goes from \$26.63 to \$27.16 per month, which is a 53-cent increase. This is an annual increase of \$6.36. Staff conducted a survey of the valley cities and found that the proposed monthly rate is in line with the proposed rent median and average rates. In addition, it should be noted that Highland is usually the first city to adjust their rates. In the next month, other cities will adjust their rates and staff predict the proposed monthly rate will be lower than the average median rates.

For Commercial Rate Components, the Public Works Subcommittee chose to continue the practice of equalizing the refuse and food waste bins with the basis of 150 accounts eligible. The majority of the basic commercial bin rates will be reduced. This resulted after realizing a credit in the landfill disposal rate that was negotiated last year with San Bernardino County but was not known at the time the rates were adopted by the City Council last year. This option will decrease the most common commercial rate, the three-yard dumpster picked up once a week, from \$268.15 to \$266.50/month. Upon City Council approval of the proposed resolution, the proposed rates would take effect on July 1, 2023.

The additional proposed resolution authorizes residential refuse service charges to be collected on the tax roll. To be noted, the dollar amounts reflected in the written report are only the annual charges and do not contain any delinquent amounts.

Attachment No. 7 includes all protests received as of the date of the printing of the staff report. The total number of protests received to date were 7.

Mayor Pro Tem Lilburn asked if the fees were generated by the State or the County? Why is the increase coming?

Public Services Manager Morgan replied that most of the fees are not in control of the City. The adjustment to processing is the landfill tipping fees, influenced by the County or the recycler processor, it is not controlled by the City. The CPI, the cost-of-living increase, is controlled by the index, and is allowable pass through per the Franchise Agreement. The remaining is through SB1383, dictating mandates for the organic recycling and food waste compliance. The mentioned three components are not controlled by the city and they are required. If the city does not comply with SB1383, the city is found not in compliance by the state and can lead to fines.

Mayor Pro Tem Lilburn asked, if these fees are brought on by the State or the County, are these fees collected by the residents and then become pass through fees that go back to the State and the County?

Public Services Manager Morgan answered, yes. The only fee that is kept by Burrtec is the administrative fee.

Mayor McCallon opened the floor to public comment.

Jody Scott spoke in opposition to the item.

Arthur Cabral spoke in opposition to the item.

Mayor McCallon asked if anyone else in the public wished to comment either for or against the item?

Seeing none, he closed the public hearing and brought it back to City Council for deliberation and action.

Mayor Pro Tem Lilburn reiterated the increase is not because the City of Highland or the City Council decided to do so. This is something local Cities are requested to do by the County and the State. She is against the increase as well, but understands it is mandated and if not followed, the City would have to endure the costs and the City does not have the money to endure the costs.



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

- 1) Adopt Resolution No. 2023-031 establishing rates for residential and commercial/industrial refuse collection and rescinding Resolution No. 2022-031 effective July 1, 2023, in the event that the City Council determines that a majority protest does not exist; and
- 2) Adopt Resolution No. 2023-032 providing for the levy and collection of solid waste program fees by the County Tax Collector in the same manner and at the same time as general taxes, in the event that the City Council determines that a majority protest does not exist. Motion carried, 4-0, with Council Member Chavez-Cordova being absent.

City Clerk Hughes stated for the record, the City received seven letters [in opposition to the rate increase].

RESOLUTION NO. 2023-031

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, ESTABLISHING RATES FOR RESIDENTIAL AND COMMERCIAL/INDUSTRIAL REFUSE COLLECTION AND RESCINDING RESOLUTION 2022-031, EFFECTIVE JULY 1, 2023

RESOLUTION NO. 2023-032

A RESOLUTION OF THE CITY OF COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, LEVYING CHARGES FOR REFUSE COLLECTION SERVICES FOR FISCAL YEAR 2023/2024 PURSUANT TO CHAPTER 8.12 OF THE HIGHLAND MUNICIPAL CODE AND ORDERING THE RESIDENTIAL CHARGES TO BE COLLECTED ON THE COUNTY OF SAN BERNARDINO TAX ROLL

35. Consolidated Landscape and Lighting District 96-1 – Annual Report (Fiscal Year 2023/2024)

Mayor McCallon opened the public hearing.

Public Services Manager Morgan stated the item before everyone is the Protest Hearing for the recommendation to order the continued maintenance, confirm the Annual Engineer's Report and levy the parcels contained within the Consolidated Landscape and Lighting District No. 96-1. This item was previously included in the May 9 City Council agenda and there were no corrections made to the report after that meeting.

Mayor McCallon opened it up to questions and confirmed there were no speaker slips submitted. He asked if there was anybody in the audience who wished to speak either for or against the item? Seeing there were none, he closed the public hearing and brought it back to the City Council for action.

**A MOTION** was made by Council Member Timmer, seconded by Mayor Pro Tem Lilburn, to approve Resolution No. 2023-033 ordering the continued maintenance of improvements in Consolidated Landscape and Lighting District No. 96-1, confirming the Engineer's Report, and levying the assessment for Fiscal Year 2023/2024. Motion carried, 4-0, with Council Member Chavez-Cordova being absent.

RESOLUTION NO. 2023-033

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, ORDERING THE CONTINUED MAINTENANCE OF IMPROVEMENTS IN THE CONSOLIDATED LANDSCAPE AND LIGHTING DISTRICT NO. 96-1, CONFIRMING THE ENGINEER'S REPORT AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2023/2024

36. Street and Drainage Maintenance District 96-1 – Annual Report (Fiscal Year 2023/2024)

Mayor McCallon opened the public hearing.

Public Services Manager Morgan stated the item before everyone is the Protest Hearing for the recommendation to order the continued maintenance, confirm the Annual Engineer's Report and levy the parcels contained within the Street and Drainage Maintenance District No. 96-1. This item was previously included in the May 9 agenda and there were no corrections made to the report after that meeting.

Mayor McCallon opened it up to questions and confirmed there were no speaker slips submitted. He asked if there was anybody in the audience who wished to speak either for or against the item? Seeing there were none, he closed the public hearing and brought it back to the City Council for action.

**A MOTION** was made by Council Member Timmer, seconded by Council Member Solano, to approve Resolution No. 2023-034 ordering the continued maintenance of improvements in Street and Drainage Maintenance District No. 96-1, confirming the Engineer's Report, and levying the assessment for Fiscal Year 2023/2024. Motion carried, 4-0, with Council Member Chavez-Cordova being absent.

RESOLUTION NO. 2023-034

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, ORDERING THE CONTINUED MAINTENANCE OF IMPROVEMENTS IN THE STREET AND DRAINAGE MAINTENANCE DISTRICT NO. 96-1, CONFIRMING THE ENGINEER'S REPORT AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2023/2024

37. Revisions to the City of Highland 6th Cycle 2021-2029 Housing Element in Response to Comments by the California Department of Housing and Community Development Pursuant to Government Code Section 65585(h), Related to General Plan Amendment No. GPA-21-003 Adopted on January 25, 2022

Mayor McCallon opened the public hearing.

Assistant Community Development Director Stater stated the City Council in January 2022 adopted the 6th Cycle Housing Element and provided it to the State for review. The State responded back with revisions and comments ensuring it was compliant with all the state laws. Staff worked together with the City's housing consultant on the revisions. There were three considerable changes since it was last presented.

The first is to repeal the City's crime-free multi-family housing policy. The State's view on the program is it is inhibiting people from access to housing through its policies.

The second is an amendment to the zoning code where the City has more objective standards. For example, when a developer comes to the City, they want to build a residential housing project, the guidelines are available upfront and more accessible for them to see. By the time the project gets to Public Hearing, there are not as many subjective items to discuss or to add to the project. This would expedite the project and help the developers understand the project more at the front end.

The third revision is the re-zoning of a combined five acres and what is defined as the City's high opportunity and resource area to have increased multi-family residential options. In other words, when the state looked at the City's high density housing zoning, they found it sufficient to provide arena location. However, the distribution was of concern, so they are asking the City to add an additional five acres in the high resource areas that would be found primarily in the eastern portion of the City.

With the changes that are reflected in the packet and the agenda, staff is confident that this can get adopted and certified by the State.

Mayor McCallon opened it up to questions.

Mayor Pro Tem Lilburn asked as she went through the objectives, are the mark throughs marked by staff or the State?

Assistant Community Development Director Stater responded they are marked through by staff.

Mayor Pro Tem Lilburn stated every objective she read was in support of either low income or giving something away to somebody funding fair housing. She questioned if there is anything that is going to benefit or improve cities that work hard and take care of their properties to give back? Are there amenities that are going to help our cities to improve?

Assistant Community Development Director Stater stated the Housing Element, and the responsibility of the State is to make sure that all state laws are complying with, and that the City is providing low- and moderate-income housing in proportion with what our state requirements are with our rent allocation. In each economic segment, all the policies are driven by fundamental guidelines of the State. Dictating the City must provide housing in these sectors and how is the City going to do that, that is fair and appropriate? That is the State's goal. Staff worked closely with the housing consultants, and they mentioned they do this in multiple jurisdictions. Working with the assigned state representative at California Department of Housing and Community Development (HCD), the City's consultant and staff's own knowledge of the community, these policies are going to provide the entire community with support and have our Housing Element certified.

Mayor Pro Tem Lilburn asked when the City works with the state representative, does staff convey the City is already limited to public safety availability, thus, when multi-units are brought in, it further stresses public safety availability.

Assistant Community Development Director Stater stated staff does convey that. There are particular appendices in the Housing Element that talk about some of those topics, and the State has read those. HCD's focus is to make sure that everybody in Highland has great housing.

Mayor Pro Tem Lilburn responded she does not think HCD wants the community to be safe. They don't care about the communities nor public safety. She wants it on record that she finds it hard to support multi-unit housing that brings crime. She wanted clarification if the five acres have been identified on the east side of the City?

Assistant Community Development Director Stater stated staff has had internal discussions and they have had requests from developers to do some up-zoning that has higher density. It is not something the State is exactly looking for, the State is looking for something in the range of 20 to 30 dwelling units to the acres, that is very dense. The Rexco project under construction is 18 units to the acre. There is a trend in California housing to have this higher density. The City does not foresee having an issue finding a developer that would provide that higher density. The state is looking for density, but staff is confident high-quality dense projects can be built with the standards in place, so that is the good news.

Mayor McCallon stated the Housing Element is just a planning document that has not built one stick of housing, and it never will unfortunately. The State is taking away the crime free thing with apartments.

City Manager Hughes explained it is not just HCD, it is the Department of Justice that went after the City of Hesperia through a lawsuit for not abiding by these requirements.

Mayor McCallon stated there are severe penalties for not having an approved Housing Element that are substantial.

City Manager Hughes added the penalties are a minimum of \$10,000 per month, up to \$100,000 per month and then the court could add a 6% inflator on top of that if they chose to. HCD could then come in and take over our land use and the City would have zero say.

Mayor McCallon opened it up to questions and confirmed there were no speaker slips submitted. He asked if there was anybody in the audience who wished to speak either for or against the item? Seeing there were none, he closed the public hearing and brought it back to the City Council for action.

Council Member Timmer asked if he could get clarification on the five acre issue. The State had a concern about the distribution of those acres and where they were in relation to other parts of the City. Was there any discussion given to taking the five acres from the area they have already zoned high density and move it to a more compatible area to meet the state requirements? Is that State saying you need five more acres?

Assistant Community Development Director Stater replied that is correct.

**A MOTION** was made by Council Member Solano, seconded by Council Member Timmer, to adopt Resolution No. 2023-035 approving revisions to the 6th Cycle Housing Element. Motion carried, 4-0, with Council Member Chavez-Cordova being absent.

RESOLUTION NO. 2023-035

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING REVISIONS TO THE CITY'S 6TH CYCLE 2021-2029 HOUSING ELEMENT IN RESPONSE TO COMMENTS BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; GENERAL PLAN AMENDMENT NO. GPA-21-003

38. Resolution No. 2023-036 Adopting a Biennial Budget for Fiscal Years 2023-2025

Mayor McCallon opened the public hearing.

City Manager Hughes stated the item presented is the budget for the next two fiscal years. The budget has gone through review twice by the Finance Subcommittee and has come before the City Council at a study session. There were no changes to the proposed budget based on the City Council study session. Expenditures reflect \$89 million for Fiscal Year 2023/2024 and \$61 million for

Fiscal Year 2024/2025. Also included is the Five-Year Capital Improvement Program. It is a very aggressive capital improvement program that is going to provide a lot of benefits in the community through road and bridge construction. The Pavement Management Program is also initiating, additional work from this program is scheduled for 5th Street, Orange Street, and Greenspot Road. A page-by-page review of the budget can be conducted if requested.

Mayor McCallon opened it up to questions and confirmed there were no speaker slips submitted. He asked if there was anybody in the audience who wished to speak either for or against the item? Seeing there were none, he closed the public hearing and brought it back to the City Council for action.

Mayor Pro Tem Lilburn stated she is thankful to the staff for looking out for the infrastructure and things to improve the City and beautify it. Even though at some point, the State might want to limit what the cities can do with the money that the taxpayers give to us. Overall, staff has done a great job with the infrastructure on the bridges and mediums.

**A MOTION** was made by Mayor Pro Tem Lilburn, seconded by Council Member Timmer, to adopt Resolution No. 2023-036 adopting a Biennial Budget for Fiscal Years 2023-2025. Motion carried, 4-0, with Council Member Chavez-Cordova being absent.

RESOLUTION NO. 2023-036  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,  
CALIFORNIA, ADOPTING A BIENNIAL BUDGET FOR  
FISCAL YEARS 2023-2025

**CITY COUNCIL LEGISLATIVE**

39. Special Event Permit Application (SEP 23-003) by the Highland Area Chamber of Commerce for the “Discover Highland 5K and 10K Community Run” and Request for Co-Sponsorship

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

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

- 1) Approve Special Event Permit SEP 23-003 subject to the conditions of approval;
- 2) Authorize the use of the city logo for promotional items; and
- 3) Approve a request by the Highland Area Chamber of Commerce for co-sponsorship and waiving of city police fees and Public Works traffic control fees in the amount of approximately \$10,485.86. Motion carried, 4-0, with Council Member Chavez-Cordova being absent.

40. Purchase of New Type 6 Wildland Fire Engine

Director of Administrative Services Dantuono gave a brief review of the staff report.

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

- 1) Authorize the City Manager to opt out of the purchase of the Type III Wildland Fire Engine with Boise Mobile Equipment; and
- 2) Approve the purchase of a Type 6 Fire Engine through HGACBuy, a cooperative purchasing program for governments. Motion carried, 4-0, with Council Member Chavez-Cordova being absent.

41. Appoint Three (3) Members of the Public to the Planning Commission

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

**A MOTION** was made by Council Member Timmer, seconded by Mayor Pro Tem Lilburn, to appoint Edward Amaya, Jarrod Miller and Chandra Thomas to the Planning Commission. Motion carried, 4-0, with Council Member Chavez-Cordova being absent.

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

City Manager Hughes stated the city has an update on three projects that are going to be going on in the community. The first project is the Perimeter Park Fence and Gates Project at Community Park. It will be constructing a 7-foot-high wrought iron fence around the park. Construction will initiate next week and conclude by August 2023.

The second project is the Emmerton Lane Trail Restoration Project, and it is under construction, anticipated to be completed by July 3.

The third project is the 3rd/5th Street Improvement Project, Palm Avenue between 3rd Street and 5th Street is going to be closed for traffic for a duration of two months beginning July 5. This will allow the contractor to construct concrete pavement for truck traffic along that stretch. This project has been under construction since December 2022. The road closure has been coordinated with the County of San Bernardino and the cities of Redlands and San Bernardino. Arrangements have been made with the businesses along the project area to provide access during that time. The road closure is necessary because of the amount of work with the reconstruction of the pavement and the pouring of concrete on the roadway. It should relieve future potholes in that area due to the heavy truck traffic.

The ribbon cutting ceremony for the SR-210 Freeway Project is scheduled for Friday, July 21 at 10:00 a.m. The bridge will unfortunately still not have the decorative panels installed because of delays with Caltrans. The City is hopeful we can resolve that soon.

On June 3, the 27th Annual Community Trails Day event was hosted in partnership with San Bernardino Valley Municipal Water District. The event generated over 150 participants. There was a total of 20 volunteers. Special thanks to Larry Mainez and his staff for all the hard work and San Bernardino Valley Municipal Water District for hosting the event and helping with it.

On May 16, the Planning Commission approved a conditional use permit for Patriot Partners to construct a small 47,000 square foot warehouse on the south side of 6th Street west of Del Rosa Drive and adjacent to the Sterling Natural Resource Center. Construction is anticipated to begin before the end of the year and a tenant has not been identified.

The City's Assistant Planner has moved on to the City of Fontana. The city conducted recruitment, and the new hire will start July 3. Once they start, all vacant positions in the city will be filled and it will be back to full staff.

On July 4, the city will host a parade in the community. It will start at 9:00 a.m. on Church Avenue. If City Council wants to participate, please contact Denise Moreno or Melissa Morgan, they can make arrangements for a vehicle or any other accommodations.

On Monday, July 31, a blood drive will be hosted at the Highland Police Station.

On Saturday, July 15, the City will host a compost giveaway event at City Hall at 8:00 a.m.

On Tuesday, August 1, the City will host National Night Out at the Highland Police Station between 6:00 p.m. to 8:00 p.m.

There are statistics to provide for various agencies. Burrtec for the month of May did 217 illegal dumping pick-ups. The Sheriff's Department from June 1 through June 11 responded to 1,180 calls for service, took 96 reports, and made 40 arrests.

The City of Highland's new Battalion Chief will be starting soon. Once that person starts, they will be introduced to City Council.

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

Council Member Timmer thanked Mayor Pro Tem Lilburn for reading the city's proclamation at the Memorial Day Service event.



Mayor Pro Tem Lilburn stated she attended the ribbon cutting ceremony for Juice It Up to present a certificate. In addition, Captain Jiles was the speaker at the Chamber of Commerce luncheon last month and did an excellent job.

Mayor McCallon also thanked Mayor Pro Tem Lilburn for her attendance at the Memorial Day Service event.

44. AB 349, as amended, Ramos. Patton State Hospital: lease: housing and mental health services for homeless individuals

Mayor Pro Tem Lilburn is recusing herself from this item. She stated she has a conflict of interest, given she works near the facility mentioned in this item.

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

Jody Scott spoke in opposition to the legislation.

**A MOTION** was made by Council Member Timmer, seconded by Mayor McCallon, to direct the City Clerk to draft a letter for the Mayor's signature to oppose the passing of the proposed legislation. Motion carried, 3-0, with Council Member Chavez-Cordova being absent and Mayor Pro Tem Lilburn abstaining.

**ANNOUNCEMENTS**

None

**CLOSED SESSION**

None

**ADJOURN**

There being no further business, Mayor McCallon adjourned the meeting at 7:04 p.m.

Submitted By:

Approved By:

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Betty Hughes, MMC  
City Clerk

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Larry McCallon  
Mayor